



ELECTION '97: no one's pulling our strings

THE INDEPENDENT

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40p

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The last red titan dies

The end for Deng Xiaoping, China's Long March veteran



Power over the people: Deng Xiaoping was purged three times - and returned three times

Photograph: Magnum

Teresa Poole
China Correspondent
Ted Plafker
Peking

"See that little man there," Mao Tse-tung told Nikita Khrushchev, 40 years ago. "He's highly intelligent, and has a great future ahead of him."

That little man was Deng Xiaoping. Last night, aged 92, three years since he was last seen in public, China's modern-day emperor finally passed away after a life which had reflected all the turbulence of China's 20th-century history. Three times purged, he had three times returned from the political grave, the last occasion in 1978 when he set about creating a modern China which threw off much of Mao's Communist dogma in favour of economic reform and opening to the outside world. "To get rich is glorious," he told China's eager population, and under his policies the country has been transformed into an emerging economic superpower.

The historical verdict on Mr Deng will nevertheless be complex. Back in the 1950s he played a zealous role in the anti-Rightist movement in which thousands of people were persecuted. By the early Sixties, he was one of the few China's leaders to argue for pragmatic economic policies so that the country could recover from Mao's disastrous Great Leap Forward; but it was two decades before he would be allowed to impose his image of China. Pragmatism rather than ideological dogmatism was the hallmark of his approach: "It does not matter if a cat is white black,

so long as it catches mice," he famously declared, when arguing for economic reform.

After the death of Mao in 1976, Deng was the only tenable candidate to emerge to lead China into a modern era. The Western world looked on in admiration until June 1989, when Deng sent in the army against the student pro-democracy demonstrators in Tiananmen Square. Although, unlike most Chinese leaders, he knew how to charm a crowd, he did not delight everyone: a "nasty little man" was Henry Kissinger's verdict.

The question now is what impact Deng's death could have on government policy and the po-

litical liberalisation combined with firm political control by the Chinese Communist Party.

In the turbulent decades since the Communist victory in 1949, China has had no experience of smooth, political succession. Chairman Mao's death was swiftly followed by the arrest of the Gang of Four, and a power struggle between the old guard and the reformists. Mr Deng's attempts to choose an heir apparent also proved difficult: his two previous choices, Hu Yaobang and Zhao Ziyang, both reformists, fell by the wayside during the Eighties. The latter was sacked after the 4 June massacre, and replaced as head

being remain at the helm of a collective senior leadership after engaging in a state of back-room power-broking to secure that no rival can challenge him.

The Communist Party's priority now that Mr Deng is dead will be not to let intra-party rivalry bring down one-party rule. All the strands of the party will want to move to consolidate power. "The Politburo represents a certain sort of stability and I think their instinct will be to stick together. Of course, in time, there is bound to be some shifting and readjustment," said one diplomat. Or, to borrow from Benjamin Franklin, Mr Jiang will be thinking "we must indeed all hang together, or most assuredly, we shall all hang separately". In the wake of Mr Deng's death, it remains unclear whether the Chinese political system can develop to a stage where it does not revolve around an Emperor figure.

The official announcement of his death came after a sudden flurry of rumours and reports in the middle of the night. In Peking, Deng died just after 9pm. The first news agency reports came five hours later, just after 2am, when Chinese sources told Reuters news agency to "expect an urgent announcement on a news broadcast soon".

Some analysts believe that Deng's death early in the Chinese New Year may be seen as a bad omen, and could even cause enough uncertainty to jeopardise the smooth handover China is so desperate to have. Paradoxically, there is such widespread consensus among China's contenders for power that they might agree to postpone their jockeying until after the transfer.

Inside

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sition of China's present leadership. His passing, announced in the middle of the night in Peking, represents a final shift for China away from the generation of Long March veteran leaders whose status was derived more from personal clout than any job description. Mr Deng had held no important posts since 1990, and at his death the only job title he could claim was honorary president of the Chinese People's Association.

Nevertheless, while he lived, even as his health sharply deteriorated, his anointed heir, President Jiang Zemin, was safe in his position and government policy stuck close to the Deng programme of eco-

nomical liberalisation combined with firm political control by the Chinese Communist Party.

Had Deng died a few years earlier, his death might well have meant a destabilising power struggle between leftist hardliners and more progressive reformers about the direction of policy. As it is, a political succession to a new generation of leaders has had time to establish itself, and the likelihood now is that Mr Jiang will for the time

Europe: both sides go to war

Cabinet truce ruined by Rifkind's remark

Anthony Bevins
Political Editor

The Conservative leadership's patched-up truce on Europe was ripped apart by the Foreign Secretary, Malcolm Rifkind, yesterday. Opening a day of government disarray, he broke last month's even-handed Cabinet approach to a single currency, suggesting for the first time that ministers opposed the principle of a single currency.

Cornered by a charge of neutrality in a BBC radio *Today* interview, an irritated Foreign Secretary said: "No, we are not neutral. We are actually on balance, we are hostile to a single currency, but we accept that you have to think very carefully about these matters before you rule it out completely."

That contradicted the carefully crafted formula agreed by the Cabinet on 23 January, when John Major said: "It is very unlikely but not impossible that the single currency can proceed safely on 1 January 1999, but if it did proceed with unreliable convergence we would not of course be part of it."

Mr Rifkind's one word, "hostile", created consternation and confusion in Cabinet ranks. But, in spite of efforts to dismiss the controversy, he gave a more

considered view in a Bonn speech, in which he repudiated Conservative support for "pooled sovereignty" and cited the words of a *Sun* opinion column, without identifying the source, to represent the view of British public opinion.

Some ministers were more circumspect in their reaction. Michael Heseltine, Deputy Prime Minister, said during a visit to Hulme, in Manchester, that the Government was not hostile to a single currency.

But the Conservative Party chairman, Brian Mawhinney, said in Wirral South, the by-election seat, that Mr Rifkind "was speaking on behalf of the Cabinet". Back at Number 10, the Prime Minister's office could not say whether Mr Major backed Mr Rifkind - but Kenneth Clarke, Chancellor of the Exchequer, said: "It was obviously a slip of the tongue under pressure from a very skilful interviewer..."

"The position remains that we have an open option. It might join; we might not. It rather depends on the best judgement we can make about British jobs and prosperity when the right time comes."

Mr Clarke reiterated the previous line: "The Government doesn't have a hostile attitude



to the single currency. The Government has a policy of negotiating and then deciding one way or the other at the proper time."

But when Mr Major later arrived at a Lancaster House conference on racism, he suggested the balance of proof had tilted against a single currency - that it would be wrong until proved right. "The balance is that we at present have sterling. People will have to show to us that it will be positively beneficial to change. The balance of the argument would have to show that it was beneficial to justify a change and that is the

point Malcolm Rifkind was making."

John Redwood, the former leadership challenger, said there had been a clear shift of policy. "Always before, the Government has said they don't think a single currency is very likely," he told BBC radio. "Today, he [Mr Rifkind] said the Government was 'hostile' to it. I find that most encouraging."

Tony Blair told BBC Radio's *The World at One*: "We have had three different statements from the three most senior people in the Government... It is a quite extraordinary situation..."

Warning words, page 10

Brown says Tories want to leave EU

Anthony Bevins
Political Editor

The Tories wanted to pull Britain out of the European Union, Gordon Brown warned an American business audience last night.

Exposing the gaping gulf between the parties, the shadow Chancellor said in New York: "Whatever the twists and turns on the Conservative side, I assure you Labour is committed wholeheartedly to the continued membership of the European Union. That is the bottom line."

In a speech that could not have provided a greater contrast between Labour enthusiasm and the deep-seated hostility of the Tories towards Europe, Mr Brown said: "The best way forward, what I believe is the British way, is to be in and to be leading."

He said the current division, disarray, uncertainty and confusion within the Conservative ranks was damaging the three-and-a-half million jobs and investment that relied on Europe.

"The re-election of a Tory government," he said, "with a huge Eurosceptic contingent, would be a recipe for continued civil war over Europe, with the national interest a loser."

"The Conservative Party's

drift towards isolationism, which started as a trickle from the right of the party, has now become a flood engulfing both Left and Right."

"It has gone dangerously far and must be resisted. Whether they admit it or not, for today's Tories being pro-British has to mean being anti-European."

The shift had become so great that Britain had been rewritten wholesale. It was now suggested that joining Europe was one of many wrong turnings.

"That Britain has done best when we are detached and isolated, free of long-term continental attachments; that today, Britain's traditional way of life and sovereignty are in danger of being submerged; that Britain's future lies outside Europe; and that those who favour Europe are somehow anti-British."

"It is this school that has won the day in the Conservative Party. The Conservatives now believe it possible for Britain to survive outside an integrated Continent."

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Rail chief earns £16m
The sale of a recently privatised railway rolling stock company has made the firm's managing director more than £16m profit from shares bought for £11,000 a year ago. Page 3

Tiger population drop
The worldwide tiger population has slumped to its lowest ever level, according to conservationists who blame traditional Chinese medicine for the animal's decline. Page 5

Paedophile ruling
A paedophile lost his fight for council accommodation after a judge ruled he had made himself "intentionally homeless" by committing offences which landed him in jail. Page 4

Warning words, page 10

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news

significant shorts

Policeman jailed for deaths in 100mph chase crash

A police constable was jailed for three months yesterday for causing the death of a innocent motorist and his police colleague in an horrific car crash during a 100mph chase after a stolen car.

PC Leslie Collins, 43, the driver of a marked West Midlands police patrol car, was found guilty of two charges of causing death by dangerous driving relating to his passenger PC Robert Dallow, 41, from Great Barr, Birmingham and motorist Neil Homer, 20, of Park Avenue, Oldbury, West Midlands. The jury at Birmingham Crown Court had considered its verdicts for nearly four hours before returning unanimous decisions.

Portillo defeat in MoD homes sale

Michael Portillo, the Defence Secretary, was snubbed by a Tory-dominated Commons select committee when it refused to endorse his decision to sell armed forces homes for £1.6bn to a Japanese consortium.

"This committee is still unable to endorse either the principle of the sale or the choice of the new owner of the estate," said the Commons select committee of defence.

It remained "extremely concerned" about standards in parts of the married quarters estate and demanded urgent progress to improve the quality of accommodation. The sale caused a furore among Tory MPs when it was announced last year, and only went through after guarantees for tenants were written into contracts.

Colin Brown and Fran Abrams

Soldiers died in shambolic exercise

The families of two soldiers killed during a training exercise yesterday attacked the "Dad's Army" shambles they say contributed to the tragedy. They also criticised the inquest verdicts of accidental death on Corporal Robert Hawkins, 29, of Toton, near Nottingham and Corporal Martin Bailey, 25, of Sidmouth, Devon.

The two-day hearing, at Derby University courtroom, heard how a series of misunderstandings led to the trench containing the two men taking a direct hit from a 95lb shell. They died almost immediately from injuries received in the June 1994 blast at the British Army Training Unit Suffield in Alberta, Canada.

Billie-Jo suspect image released



Detectives hunting the killer of schoolgirl Billie-Jo Jenkins yesterday issued a computer-generated image of a young man they urgently want to trace. He was seen walking from a side entrance to the house where Billie-Jo lived with her guardians and sisters on Boxing Day last year, when the family was visiting relatives.

Detective Superintendent Jeremy Paine said: "He was in his late teens or early 20s, about six feet tall and powerfully built,

wearing fawn-coloured trousers, a black shiny bomber jacket and black woollen hat." The image was compiled from a description given by a witness who called the police incident room.

The 13-year-old was found bludgeoned to death with a metal tool spike on the patio of her home in Hastings on Saturday.

Envoy drawn into McAliskey case

Deputy Irish premier Dick Spring yesterday called in the British ambassador over the case of Roisin McAliskey, the pregnant daughter of a former MP who faces extradition to Germany in connection with an IRA bombing.

Envoy Veronica Sutherland was told of Dublin's concern over the conditions in which Ms McAliskey is being held in London's Holloway prison pending proceedings for her extradition. Mr Spring urged that the earliest possible "positive" decision should be made by the relevant authorities on efforts to secure bail for the bombing suspect, who is more than six months pregnant.

Bypass would devastate Wiltshire

The Countryside Commission yesterday called on the Government to re-open the 1993 inquiry into the controversial proposed Salisbury bypass. The commission said the bypass would so devastate the Wiltshire landscape that nothing could be done to counter the impact. A decision on the proposed road scheme was delayed last October while the Government sought more advice.

Although the bypass was supported by the local Tory MP Robert Key, it was understood that ministers were loath to risk more confrontation with road protesters before the election. Louise Jury

people



Rev Winkett yesterday with the Dean, Dr John Moses (Photograph: Emma Boam)

Woman priest tells of her vision on road to St Paul's

Rev Lucy Winkett, the first woman priest to be appointed to the staff of St Paul's Cathedral, joined a panel of her male colleagues and spoke for the first time yesterday about the controversy her appointment has created.

At a press conference called by the Dean of St Paul's, Dr John Moses, in order to "set her free", Rev Winkett sat beside Canon John Halliburton, the man who has made it clear he does not recognise her status as a priest.

But, at pains to present a united front, the newly appointed 29-year-old minister turned to the Cathedral's chancellor, who stands at the opposite end of the theological spectrum when it comes to the ordination of women, and said she was "quite proud of the Church of England that it's found this way of living with difference."

Canon Halliburton made it clear that he would not let his views get in the way of his personal relationship with Rev Winkett, whom he had not seen since the interview after which he abstained from voting. He went as far as to joke: "I may, one day, sit down and have a deep, spiritual talk with Lucy about my feelings, but I won't start asking for absolution."

He played down reports that he would "boycott" Ms Winkett's Communion services. "I shall do nothing of the sort," he insisted. "I shall quietly not be present."

Rev Winkett, a curate at St Michael's and St Mary's in Ilford, east London, told the assembled journalists about her calling to the Ministry. "For me, it was quite

a sudden decision," said the Cambridge graduate who, at 23, had expected to pursue a career in music.

"I was sitting in a church service one evening and it just kind of happened. Something clicked inside of me and I wanted to be a priest from that moment."

Although back then, entering the priesthood was not a possibility, her "conviction" never left her.

Reports that she had joined the Church following the death of her boyfriend, Andrew Stillwell, in a climbing accident, were exaggerated, Rev Winkett claimed.

"It's a very neat pattern that looks very obvious. That the death of someone else leads to a vocation in the Church, but I can't say that was the position. As I've said before, the experience of bereavement is a catastrophic one. A full stop. There isn't one logical step from one to another. Death isn't like that."

For Rev Winkett, one of the most exciting aspects of her new job, which starts in September, is the singing. "To hear a woman's voice singing the Communion in St Paul's will be a wonderful thing," she said.

It is a task for which she is well qualified. Not only did she study at the Royal College of Music, but she sang secular rock songs in a Cambridge band called — by sheer chance — the Ordained. She was, however, reticent about the idea of introducing her acoustic-electric guitar to the Church of England heartland. Asked whether there was a place for rock 'n' roll at the country's most famous Cathedral, she looked rather bemused. "I don't know," she said. "Honestly, I don't."

Clare Garner

briefing

HEALTH

More than 1 million waiting for NHS hospital treatment

The NHS waiting list for hospital treatment has risen to 1,096,000 patients — the highest figure recorded, according to the latest figures released by the Government. There was a rise of 3.2 per cent in the total number of patients waiting at the end of 1996, and 123 patients were waiting for more than 18 months, in breach of Patients' Charter guarantees.

The provisional figures for the last quarter of 1996 were co-ordinated last night by the Shadow Secretary of State for Health, Chris Smith, as evidence that the reforms to the NHS were not working.

"These are the highest waiting lists ever recorded. More patients across the country are waiting longer for an operation as a direct result of the Tories' changes to the NHS," said Mr Smith.

But Gerry Malone, the Health Minister, defended the Government's record, insisting that the reforms had slashed the numbers waiting for more than a year from 200,000 cases.

The total for those waiting more than one year rose by 46 per cent — an increase of 6,900 to a total 21,900.

Colin Brown

LIBRARIES

Paperback revolution condemned

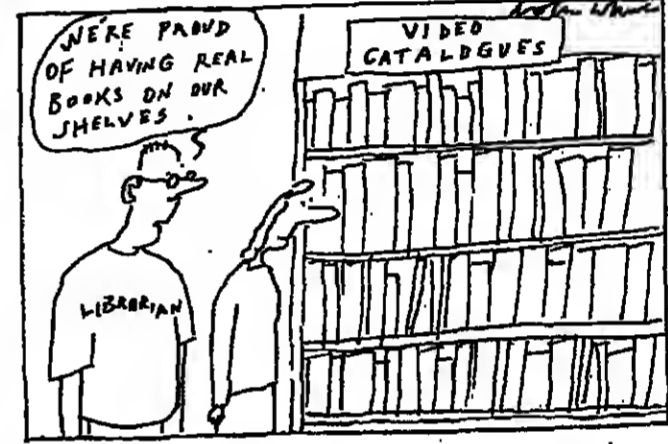
Public libraries should open in the evenings and on Sundays, when people most want to use them, the Government said yesterday in its Public Libraries Review. The review, published by the Department of National Heritage, also warned: "The original concept of the British public library system was one of high seriousness and importance. In more recent years there has been a shift away from that high seriousness towards entertainment."

Junior National Heritage minister, Iain Sproat, said yesterday that too often library shelves were packed with paperbacks that could be easily bought at nearby shops.

The review ruled out charges for book loan and reference services. It added that in order to raise standards, library authorities should publish annual plans, setting out clearly how they have performed compared with the standards they set themselves, and the standards achieved by other libraries.

Reading the Future: A Review of Public Libraries in England, available free from the Department of National Heritage 0171 211-6132.

David Lister



FOOD

Blunders increase Chernobyl danger

Britons face an increased risk of cancer by eating foods, such as milk, contaminated by the Chernobyl accident, according to research published today. Former government scientist John Jeffers, who was director of the Institute of Terrestrial Ecology, told *New Scientist* magazine that monitoring of radiation levels to food following the accident was "half-hearted and fairly ridiculous".

Mr Jeffers said that immediately after the Chernobyl explosion, there was no Government funding into the behaviour of radioactivity in foodstuffs and no co-ordinated effort was made to trace where food had become contaminated. He added: "We could have learned a great deal about how radionuclides moved through different ecosystems, but we fluffed it."

But the Ministry of Agriculture defended its record of testing for radiation at the time, saying that in 1986 it tested 23,490 samples of milk, vegetables, cereals and sheep for radiation. It said iodine levels in milk only reached 20 per cent of safety limits recommended by the National Radiological Protection Board.

WHITEHALL

The part-time civil servant

The civil service, once the bastion of full-time jobs for life, is increasingly becoming a source of temporary appointment, according to a survey by Labour employment spokesman, Peter Hain. Over the past five years, while nearly 70,000 permanent jobs have been lost, 7,500 new temporary jobs in the civil service have been created.

According to Mr Hain's figures, there are now 25,000 temporary jobs in the civil service, an increase of more than 40 per cent since 1992. The number of permanent jobs in the civil service, including both government departments and executive agencies, has fallen over the same period from 683,600 to 615,300.

Mr Hain stressed that civil service management codes stipulated casual employment should only be used to meet genuine short-term need and not as a way of eroding job security. He said it was inexcusable that the Government was creating "jobs with no pensions, no performance pay, no paid leave, no sick absence and no maternity leave".

Christian Wolmar

SOCIETY

CSA failing to ease parents' burden

The Child Support Agency has so far only had a "small impact" on the lives of lone parents when the potential to help them is there, according to a new report by the Policy Studies Institute. Single parents who co-operate with the CSA could be 60 per cent better off than those who remain on income support, it found.

Increasing maintenance payments helps lone parents work, particularly those with few qualifications or experience. However, the proportion receiving maintenance payments remains at just 30 per cent.

The report also challenges common beliefs about parents bringing up children alone. Rather than being "serial lone parents" they tend to be formerly married, having had all their children by one partner.

Lone Parents: Work and Benefits, £25, HMSO. Glenda Cooper

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Primary suspect reveals identity in \$120m 'Primary Colors' suit

Columnist Joe Klein, the *Anonymous* who wrote the hugely successful political roman-a-clef, *Primary Colors*, is finding that basing art on life can be a risky business.

In the book, a fictitious Harlem librarian is seduced by a candidate clearly intended to be taken as Bill Clinton. Now the model for that character — who indeed did meet the real Governor Clinton during his 1992 campaign — is suing Mr Klein for \$120m to prove that she wasn't.

Citing "extreme mental anguish, embarrassment and humiliation," 51-year-old Daria Carter-Clark has filed her suit in a New York court. "I was hysterical, crying and screaming," she says, upon learning of her portrayal in the book, which sold 1 million hardback copies and will form the basis of a film later this year.

The episode provides a hilarious first chapter, as the imaginary librarian Ms Baum — "middle-aged, pushing 50, hair dyed auburn to blot the grey, unexceptional apart from her legs which were shocking, a gift from God" — is enthralled

by the visiting Jack Stanton, Governor of "an obscure Southern state".

Had matters stopped there, Ms Carter-Clark would have had no problem. Alas, a page or two later, a "dazed" Ms Baum emerges from the Governor's hotel bedroom, "arranging herself". As for Stanton, he is described as "buttoning his shirt over a hairless pink chest; he was the colour of a medium rare steak just off the grill, steaming a little".

Much of the book's success reflected its eerie closeness to life. Two dozen or more figures from the 1992 campaign populate its pages, most of them instantly recognisable. That alone makes it harder for the author to plead that anyone could understand it did not happen.

Ms Carter-Clark in fact was chosen as one of the "Faces of Hope" who symbolised Mr Clinton's 1992 campaign, and was invited to both his inaugurations. Which only adds to her discomfort. Everyone, she told the latest issue of the *New York Observer*, believes she was a Clinton conquest.

Rupert Cornwell

Harriman's millions left to Churchill

The Tory MP Winston Churchill (right) and his estranged wife are to inherit nearly all of the £8.6m estate of his mother, Pamela Harriman, the remarkable Englishwoman who became American ambassador to France.

In a will signed only a month before her death on 5 February, Mrs Harriman left the bulk of her estate to be divided equally between the MP, her only son, and Mary, known as Minnie, from whom he separated two years ago after 31 years of marriage.

Her two gardeners, cook, butler and chauffeur will also receive bequests



of between \$10,000 and \$250,000.

Mrs Harriman's four grandchildren and brother, Lord Edward Digby, also benefit, but it is understood that Janet Howard, her long-time assistant in Washington and Paris, was left out of the will.

The estate includes Mrs Harriman's home in Middleburg, Virginia, a man-

sion in Georgetown and property in upstate New York and Long Island. There are also a number of paintings, some jewellery and clothing.

Although lawyers were reluctant to put a value on her estate, it is certainly significantly smaller than it was two years ago, when Mrs Harriman became embroiled in a bitter squabble with the heirs of her late husband, the former New York governor Averell Harriman.

The children and grandchildren accused her of wasting \$30m on bad investments while she acted as trustee.

Samuel Berger, the White House national security adviser and one of her speechwriters, has been appointed her literary executor.

Louise Jury

سكرا من الاصل



**NEWSPAPERS
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Gummer's vision for housing's future: build more stately homes

Amid the rolling acres of our green and pleasant land, Britain's new rich can build their dreams in stone

Nicholas Schoon

The Government wishes to see a revival of the stately home set amid rolling acres. Yesterday John Gummer, the Secretary of State for the Environment, published new planning guidance encouraging a new generation of magnificent country mansions for the nation's fast-growing number of millionaires.

Under present planning guidelines it is almost impossible to get planning permission from local councils to build new homes in the open countryside. The new guidance supports this, in order to stop the countryside turning slowly into suburbia. But adds: "An isolated new house in the countryside may exceptionally be justified if it is clearly of the highest quality. This means each generation would have the opportunity to add to the tradition of the country house, which has done so much to enhance the English countryside."

The new stately homes would have to be "truly outstanding" in terms of their architecture and landscape design, and enhance their surroundings. It would be up to the elected councillors on the local planning committees to decide whether to grant planning permission for such a home, with the Secretary of State for the Environment able to intervene and have the final say.

When *The Independent* suggested that this would give only the wealthiest individuals the option of a new home in the open countryside, Mr Gummer briskly dismissed that as "old-fashioned Marxism".

"Many of the finest rural landscapes in Britain are enhanced by having marvellous buildings in them," he said. He gave Lancing College, a public school on the South Downs in West Sussex, and Tintern Abbey in the Wye Valley as examples. The royal palaces of Balmoral

and Sandringham were also fine examples of magnificent homes which enhanced their rural surroundings.

To get planning permission, a new house in the country would have to be "very fine and very original," he added. Mr Gummer suggested that derelict or run-down sites, such as the overgrown gardens where a great house once stood before it was demolished, might be appropriate.

The Department of the Environment's planning minister, Robert Jones, pointed out that Britain now

had more millionaires - potential clients for tomorrow's stately homes - than ever before. And they will need the money. British architect Claudio Silvestrini, who has built a couple of grand country houses, puts the cost at £2m to £5m.

"There's more people with money and the desire to have such houses built than you might think," he said last night. "But they can't be bothered to waste all the time and expend all the energy that you need to get planning permission. People just

give up and say I'll build it in France, or Ireland."

He praised the new government guidance. But John Outram, who won two awards for an unashamedly modern country house near Wadhurst, East Sussex, was deeply sceptical about Britain's ability to produce a new generation of stately homes which stood the test of time.

"This is a commendable idea but it is elitist and rather off-the-wall," he said. New building in the open countryside might best be for more

communal uses, such as new towns. His house, built in 1987 for an industrialist, stands on a hilltop and features concrete coloured in several different bright shades.

"To be frank, British architecture hasn't got much credence when it comes to building great country homes since the war," he said. "A lot of very ugly ones have gone on."

Recent clients for large new country homes include the publisher, David Sullivan, (his is in Essex) and the controversial property magnate

Nicholas van Hoogstraten. And there was "South York", the big house built in Berkshire for the Duke and Duchess of York which some thought was inspired by architecture from the soap opera *Dallas*.

The Duke of Westminster, Britain's wealthiest aristocrat, owned one of a tiny number of truly modern looking stately homes at Eaton Hall near Chester. It was built for his father in the 1970s to replace an earlier Victorian gothic mansion.

Architect John Demmy, a modernist, came up with an ambitious stark-white, flat-roofed mansion which many critics attacked as an eyesore. The present duke has since had it "demodernised", adding traditional carapace with pitched slate roof, pink sandstone cladding and new window arches and doorways.

The new guidance covers the entire range of development in the countryside. It seeks to control housebuilding tightly, but favours small-scale business developments to keep jobs in rural areas.

"There's a difference between protection and taxidermy - you don't want to stuff the countryside in order to preserve it," said Mr Gummer. The guidance was welcomed by both the Country Landowners' Association and the anti-development Council for the Protection of Rural England.



A modern Englishman's castle: David Sullivan, millionaire publisher and football club owner, outside his Essex mansion

Photograph: North News



Old glory, nouveau riche: Chatsworth House in Derbyshire (left) and Sunningdale Lodge, Berkshire, former home of the Duke and Duchess of York



Short trip on the gravy train nets profit of £12m

Randeep Ramesh and Chris Godsmark

Life's lottery produced a new set of millionaires yesterday when a recently privatised rail company was bought by one of the world's biggest banks yesterday.

Andrew Jukes, managing director of Eversholt Leasing - which rents its 4,100 trains to private train companies - stands to make more than £16m from shares bought for £110,000 a year ago.

The firm, known as a Rosco

(rolling stock leasing company) was sold by the Government last year for £580m including £80m of debt to British Rail managers. Forward Trust, a subsidiary of Midland Bank, paid £208m more than the original price yesterday, taking over the company for £726m.

"We took a risk and it paid off," said Mr Jukes, who helped set up Eversholt in 1994.

Private bidders for the train rental companies were scared off when the Government first put the businesses up for sale

by the length of the leases, leaving the firms in the hands of the management teams.

"The picture in 1995 was one of pessimism and cynicism about the sale," said Mr Jukes. "We went against the grain and took the risk."

Mr Jukes's risk involved raising a little over £110,000 - which he did without mortgaging his family home in Surrey.

An engineer by training, Mr Jukes's first job was with Rolls Royce in Derby. He moved to

run the bus division for London Transport in 1973 and joined British Rail in 1988 where his ability to spot a good deal made him the perfect choice for BR's investment adviser.

Despite his new found wealth, Mr Jukes will remain at the company. His finance director, Colin Haggood, will not. His short trip on the gravy train will end in three months time - leaving the former chartered accountant nearly £12m richer.

The new railways have seen the return of the railway children. The sons and daughters

of two Eversholt directors - Mr Jukes and engineering director Roger Aylward - stand to make £9m from the sale via a special trust arrangement.

Another 58 staff share more than £40m, and executives from the bank which backed the management team will gain home £5m. Other beneficiaries include Wolverhampton council and the New York Metropolitan Museum of Modern Art, which will profit from indirect stakes in the company.

The 15,000 per cent profit margin incurred Labour, which had only just finished making political capital from the last sale of a Rosco, in which Sandy Anderson, a former aircraft leasing expert, made a profit of £33m in seven months from the sale of his company to Stagecoach, the bus and rail giant.

"Today's news confirms that the Government learned nothing and did nothing. I challenge them even now to admit that they got it wrong and short-changed the public by selling

cheap these national assets," said Andrew Smith, Labour's transport spokesman. He produced a dossier entitled "The Great Train Robbery", which claimed that the share gains available to the directors of Eversholt, Porterbrook and another train company, GB Railways, topped £103m. And he said he would be writing to the Public Accounts Committee urging an investigation into how the assets came to be sold off "so cheaply".

Who gets what, page 19



Andrew Jukes: 'We took a risk'

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Paedophile loses right to council accommodation

Glenda Cooper
Social Affairs Correspondent

A convicted paedophile lost his fight for council accommodation yesterday after a judge ruled that he had made himself "intentionally homeless" by committing offences which landed him in jail.

The judgment means that in future councils will have discretion to decide whether a person has made him or herself intentionally homeless in cases where deliberate criminal conduct has led to a jail sentence.

But probation officers and penal reform groups warned that it could lead to a "lynch law" mentality and that such action was likely to put children in more danger by driving paedophiles underground.

In a landmark ruling, the High Court said there was "ample justification" for the London Borough of Hounslow's refusal to provide a roof for "R", a 65-year-old man who cannot be named for legal reasons.

He accused the housing authority of unlawfully deciding that he was not entitled to help because he had made himself

"intentionally homeless" by carrying out sexual assaults on boys, getting jailed and losing his original council accommodation.

But Mr Stephen Richards, sitting as a deputy High Court judge, agreed with the council that "a fair-minded bystander" knowing of R's long history of sexual offences against children and long periods in prison would "unhesitatingly conclude" that loss of accommodation was the likely result of committing further offences.

In early 1990, R, who had been imprisoned on 18 occasions over a 40-year period, left jail and was allocated a property in Chiswick, west London. He was living there in July 1991 when he was given a seven-year sentence for indecent assaults on young boys.

In jail he gave up his Chiswick tenancy after being told that housing benefit could only be paid to prisoners for a maximum of one year, and he realised he was in danger of running up rent arrears.

Released from White Moor prison in August 1995, he applied to Hounslow council for

accommodation on the grounds that he was homeless and in priority need but was turned down.

R's counsel, Ian Luba, argued that the council had acted outside its powers because it was unreasonable to have expected R to keep up the Chiswick tenancy when he could not afford the rent. If the council was right, Mr Luba said, it would mean that any tenant convicted of an offence and jailed for a period which meant they could not keep up rent payments would face homelessness because of their inability to pay.

Rejecting that submission, the judge said the statute "lays down no special regime for ex-prisoners and cannot be construed in such a way as to create one".

Hounslow Council will now have to consider when to evict R from the temporary accommodation where he has been living pending yesterday's legal challenge. The judge refused R leave to appeal, but he can still apply directly to the Court of Appeal, and ask for an order compelling the authority to continue housing him until any further hearing has taken place.



Defiant stand: Yvonne Fox rehearsing for Saturday's anniversary celebrations in Fishguard, west Wales, to mark the bicentenary of the last invasion of Britain by the French. Intending to invade Ireland, they had sent a decoy party to Bristol, but bad weather led to the party landing in Wales. Photograph: Rob Stratton

Bribes case taxman gets five years

Graham Ball

Michael Allcock, the most senior Inland Revenue official ever convicted of corruption, was sent to prison for five years yesterday.

Passing sentence at the Old Bailey, Judge Peter Beaumont said Allcock's corruption had threatened the integrity of the entire Inland Revenue.

"The public expects and is entitled to expect its servants to be incorruptible. That they are in part maintained by the knowledge that when public servants are found to fall below those standards, it is met with instant imprisonment," he said.

And he told 47-year-old Allcock: "You are a man of marked ability, drive and determination to succeed. The sadness of your case is that the evidence makes it clear that had you the will to do so, you could have prospered in the Inland Revenue."

Judge Beaumont said that Allcock's behaviour had cast a shadow over his revenue colleagues and was made worse by the fact that the offences took place over a long period of time.

The scale of the largesse he received further exacerbated his crimes. He had abused his position of trust in the Inland Revenue's special office, unit said the judge.

Allcock, 47, stood impassively in the dock as the judge delivered his ringing admonishment. The former high-flying civil servant, dressed in a blue two-piece business suit, cream

shirt and brown tie stared straight ahead throughout and said nothing as he was sent down.

Earlier the court rejected an application from the prosecution to confiscate Allcock's assets.

In a plea of mitigation, Allcock's lawyer, Anthony Arledge QC, drew the court's attention to his client's former good work.

He said that over a two-year period Allcock's team was responsible for reclaiming more than £62m in unpaid taxes.

"The Revenue had substantial benefit from his investigative abilities. Now he has obviously thrown away a good deal of the high regard in which he was held," said Mr Arledge.

The Crown, he added had been unable to prove any loss to the Revenue.

Allcock was joined in the dock by Hisham Alwan, a 57-year-old oil trade consultant of Knightsbridge, central London, who had yesterday been found guilty of supplying the disgraced tax inspector with the services of a prostitute, Michelle Corrigan.

In sentencing him to nine months in prison, suspended for 18 months, Judge Beaumont said to Alwan: "In monetary terms, the cost to you was small but the benefit it brought to you was enormous."

Alwan's counsel, Mr Stephen Solley told the court that his client intended to pay the Inland Revenue an estimated £200,000 in back taxes.

MP injured in go-kart race

Matthew Brace

The former Cabinet minister, Michael Jopling, was in intensive care in a London hospital last night after sustaining serious injuries in a charity parliamentary go-kart race.

Mr Jopling, who holds a 14,920 majority in his Westmorland and Lonsdale constituency in Cumbria, is a former agriculture minister. He was injured during a Lords vs Commons go-karting event which was being held at a course in Fulham, west London.

After the accident yesterday afternoon he was stretched off on a spinal board with back pain and placed in a support collar. Mr Jopling was taken to the intensive care unit of the nearby Chelsea and Westminster Hospital.

A hospital spokesman said that the MP had fractured some ribs and bruised both his lungs and doctors said he was in a "serious but stable" condition.

He added that Mr Jopling was on a ventilator machine to assist his breathing. He was

expected to undergo surgery today.

However, the spokesman said the former minister had not suffered head injuries and his condition was not thought to be life-threatening.

A Conservative Party source said last night that efforts were being made to contact Mr Jopling's wife Gail, who is believed to be abroad.

Mr Jopling's son, Nick, a farmer who stood for the Tories at the last general election in Tony Blair's Sedgefield constituency, said he had only recently heard about the incident, and was not able to comment.

"But I understand everything's OK," he added.

Mr Jopling's accident is bad news for the Government, which is now without a majority. However, in an important vote he could still be transported to the House of Commons to vote by ambulance.

The former Cabinet minister was one of the Tory rebels who voted against the Government in an amendment to compo-



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Time running out for tigers in the wild



Eye of the tiger: Feeding time for a Sumatran tiger at London Zoo - venue for today's conservation conference

Photograph: Andrew Buurman

Chinese medicine blamed for decline

Matthew Brace

The worldwide tiger population has slumped to an all-time low, according to conservationists who blame traditional Chinese medicine for the animal's decline.

Just 5,000 tigers exist in the wild, a drop of 10,000 in the past 30 years, according to the Zoological Society of London which is hosting a major international conference today to address the problem.

The decline has accelerated during the past decade despite concerted efforts from conservationists to save the species.

Scientists and conservationists from the society blamed the decline on habitat destruction and, more significantly, on the recent growth in demand for tiger body parts for use in traditional Chinese medicine.

Sarah Christie, the society's tiger coordinator, said an increase in per capita incomes in the Far East meant more people could afford traditional herbal medicines, always treated as luxuries, and were buying them to show off their wealth.

The trade of tiger body parts is illegal under the Convention on International Trade in En-

dangered Species (Cites) but constitutes a large part of the global wildlife trade. Tiger bones and parts are some of the most commonly found animal products smuggled in to Britain.

"Tiger penis soup is one particular delicacy, although obviously I haven't tried it myself. Some tiger parts have anti-inflammatory and other properties but they are still not as good as an aspirin," she said.

At least 1,900 kilos of tiger bone were exported to Japan from Taiwan in 1990, according to the society's director-general Richard Borge.

"That's the equivalent of 400-500 tigers. The increase in the use of tiger parts in herbal medicine is outweighing any increases in the numbers of tigers we might hope for," he said.

As their populations have shrunk, in-breeding within sub-species has increased, which has heightened the risk of cub mortality and genetic defects. Some sub-species are more at risk than others. The South China tiger is currently closest to extinction with just 20 individuals recorded in the wild.

Scientists and conservationists from around the world have gathered in London to present

their latest research to a Tigers 2000 conference today at London Zoo and to discuss how to step up their campaign to save the animal.

Out of the new research has come a glimmer of hope - researchers in the Way Kambas National Park, on the Indonesian island of Sumatra, have recorded a small increase in their tiger population. However, the new figures might be more to do with new recording methods such as infra-red cameras mounted on 45 trees within the park spotting previously unseen tigers, rather than an actual increase in population. Before, researchers relied on footprints to estimate the numbers in the park.

Predicting a continuation of the decline, the society is planning to co-ordinate existing tiger sperm and egg banks around the world as part of the fight to save the tiger. "Tigers are a very emotive issue," said Mr Borge. "They are something we all feel very strongly about. There is a chilling phrase in conservation which describes a species which has committed itself to extinction. The tiger has not reached that point. If it had we could all give up."

Gay men lose appeal over S&M acts

Patricia Wynn Davies
Legal Affairs Editor

Sado-masochism practised in private and causing no serious injury was officially criminalised yesterday in a unanimous ruling by the European Court of Human Rights in Strasbourg.

To condemnation by civil liberties and gay rights campaigners, the court said that Britain was justified in jailing three men, Anthony Brown, Roland Jaggard and Colin Lusk - who has since died - for inflicting pain on each other for sexual pleasure.

They were among 16 homosexual men rounded up in the "Operation Spanner" crackdown after videos of their sado-masochistic sessions fell into police hands. Only the three took their appeals to the House of Lords and then to Strasbourg.

Nearly 50 homosexual men had taken part in the sex acts, involving the use of hot wax, sandpaper, fish hooks and needles on each other's genitals, ritualistic beatings with spiked belts, stinging nettles and cat-o-nine-tails, and branding.

Invoking an exception to article 8 of the European Convention on Human Rights, which guarantees the right to respect for family life, the Strasbourg judges ruled that the United Kingdom was "unquestionably entitled... to seek to regulate through the operation of the criminal law activities which involve the infliction of physical harm, whether the activities occur in the course of sexual conduct or otherwise."

Mr Jaggard, 50, from Wel-

wyn Garden City, Hertfordshire, and Mr Brown, 62, from Yardley, Birmingham, suggested yesterday that "Despite protestations to the contrary it has always been clear to us from the statements of English judiciary, at all stages from the Old Bailey to the House of Lords, that as our case involved homosexuals we were essentially guilty."

They invoked a later case when a man who branded his initials on his wife's backside had his conviction quashed on appeal because they were a happily married couple.

But the Strasbourg court dismissed the men's claims that they were victimised for being homosexuals and rejected their argument that behaviour involving private morality was none of the state's business. "It is evident that the applicants' activities involved a significant degree of injury or wounding the ruling violated the right to privacy," the judges said.

Rights campaigners said the ruling violated the right to privacy. John Wedham, director of the civil rights group Liberty and one of the lawyers in the case, said: "Consent forms a defence to assault in sports, medical operations, ear-piercing, religious flagellation and many other practices which are not to everyone's taste. The police should be out catching real criminals, not worrying about what other people get up to in bed." Peter Burchell, of the gay rights group Outrage! said the ruling violated the right to privacy.

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Where racism is not simply a black and white issue

On the streets where Stephen Lawrence died, Steve Boggan finds little optimism about change

"Just call me Mr Patel," said the smiling man who was supposed to be living in fear. "Everyone calls me Mr Patel, the parents and the children - although many of the parents were just children when I first arrived."

Mr Patel's has been at his newsagents shop on the Brook estate in Eltham, south-east London, for nearly nine years. But it was three years before "NF" - for National Front - was daubed on his shutters by two of the five white men accused by the Daily Mail last week of murdering the black student Stephen Lawrence.

"The newspapers said this was a scary place to be if you're Asian or black, but I've never had any trouble," he said.

Mr Patel was speaking yesterday morning at about the same time as Timothy Kirkhope, the Home Office Minister responsible for community relations, was launching the Government's plans to participate in the European Year Against Racism.

Mr Kirkhope spoke of workshops, exhibitions, festivals, galas, and conferences all over the country. But, like many on the Brook estate, Mr Patel thought talking-shops would be a waste of time.

"Things aren't so bad if people take the trouble to get to know one another," he said. "People said this was a bad area, but it's fine now that we have become friends. It's a nice place. If I'm in the back of the shop when people come in, they just take what they want and leave the money by the till. I know the five boys named by the Daily Mail last week, but they never gave me any problems about being Indian and they were always polite."

"Okay, I had NF daubed on the shop about six years ago, but it's almost faded now. If I'd caught them doing it, I'd have given them a clip round the ear. As it is, people here are nice to me, and I'm nice to them. That's more important than little events."

It was on the Brook estate that the five suspects paraded their xenophobia until the day Stephen, an 18-year-old A-level student, was stabbed and beaten to death as he waited for a bus nearby. They no longer live there.

Black and Asian residents have reported a high level of overt racism in the area and many have moved away. Perhaps that is why so many white people feel there isn't a problem, but those *The Independent* spoke to said they would be quite happy to have more blacks and Asians on the estate.

What they doubted was that the racists living among them would be changed by - or even take the trouble to go to - any of the planned events: the "Roots of the Future" exhibitions, or the "Camden gala and social night", or the "Ethnic monitoring and code of practice seminar".

"If people are racist, then nothing like that is going to make a scrap of difference," said Karen Eyre, 31, who lives on the estate. "It's nothing to do with this



Friends together: Mr Patel says people are nice to each other on the Brook estate Photograph: Peter Macdiarmid

place; it's the same story across the country. Some people are racist, but most people aren't. You have to try to change those who are, but I don't think you can."

Several white men aged under 24 - the age and type usually associated with racist violence - said they believed the Brook estate was "no worse than anywhere else", and none was overtly racist. But they all doubted the fate on offer from the Government would improve race relations. A few were resentful - to the extent that they felt discriminated

against - for being labelled racist in the aftermath of the Lawrence inquiry.

One 15-year-old, Mark Kearns, said: "No one can tell kids not to be racist. It wouldn't bother me if there were more blacks and Asians here - we all mix at school and the only thing is the difference in people's skin. What we're really worried about is the Chinese gangs who bully the white kids."

Mr Patel's neighbour is British-born Mr Chibber, also reluctant to give his full name, whose family hails from India. He, too, had

"NF" daubed on his shutters, at Star Grocers, but that didn't frighten him off.

"I've been here 14 years and I've never had any serious trouble," he said. "Some of the kids try to give me lip by calling me 'Paki' but I give as good as I get. People have to work out their own way of living together - you can't learn from a few seminars."

"Come to think of it, I did have trouble once. I was hit over the head as I locked up. But that was different. That was just for the money."

Initiative to combat problem derided

Jason Bennetto
Crime Correspondent

Ethnic rights groups yesterday accused the Government of paying lip service to anti-racism as the Home Office announced a series of events to tie in with the launch of the European Year Against Racism.

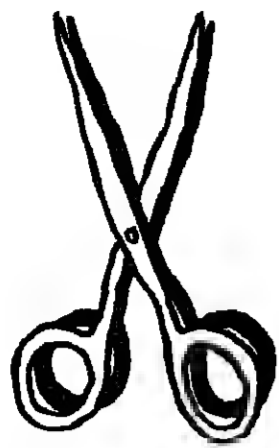
The government initiative was criticised by Sukhvinder Shubbs, director of the Runnymede Trust, an independent race-relations think-tank, and part of the official UK committee chaired by Timothy Kirkhope, the Home Office minister. She said: "It's been 20 years since the Race Relations Act and frankly it's time for more than a talking shop."

"We need local authorities and others to help change the attitudes of young people. There are still parts of Britain where virtual apartheid exists, such as Somers Town, Greenwich, and Eltham, [all in London] which are no go areas for black people. We need a programme to change the attitudes of young people, legislation to enforce it and a party leadership that says no to racism."

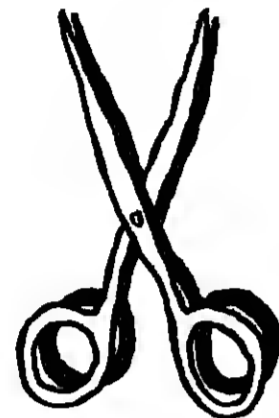
Speaking yesterday at the launch of the initiative, John Major said a "great deal of progress" combating racism had been made in the last 40 years - but more needed to be done. "There must be no position, no job, no opportunity, no right from which people are excluded by reason of their creed, their colour or their background. That is what we need to work towards."

An alliance of anti-racist organisations said, however, that the Tories had introduced a string of measures that had seriously harmed ethnic minorities in Britain during the past decade. Lee Jasper, of the National Assembly Against Racism, said: "The Government has an abysmal record on combating racism... Over the past 15 years there has been a series of policies on issues such as education, law and order, and the police, which have led to a deterioration of race relations."

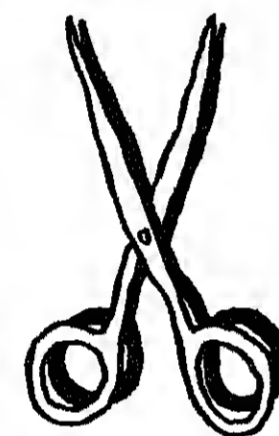
Mark Wadsworth, of the Anti Racist Alliance, added: "We need proper initiatives that address the practical problems faced by victims. The European Year is tokenism."



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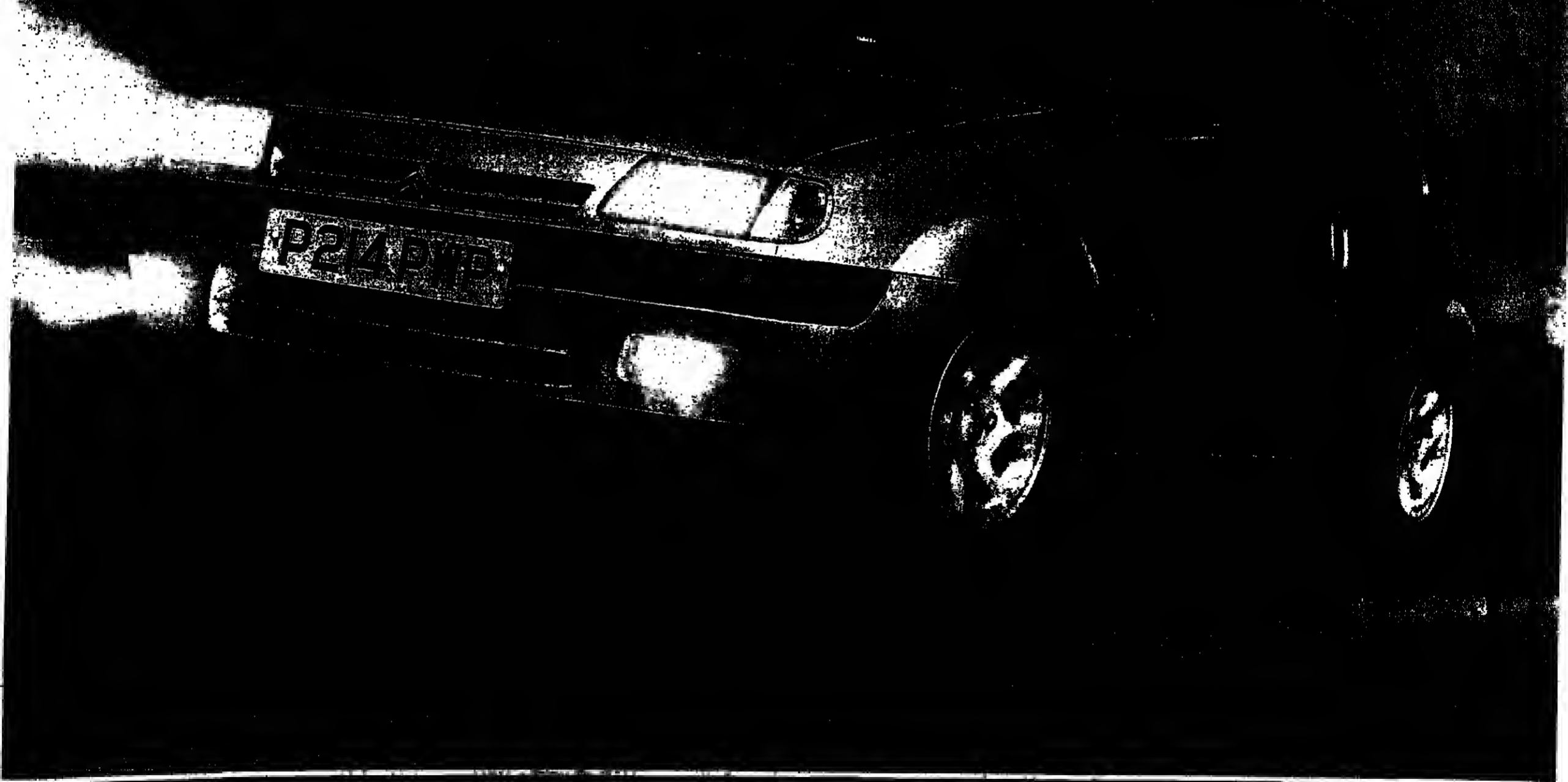
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Travelling companions: Tony Blair carrying a swarm of media folk with him on walkabout in New Ferry, Wirral South, yesterday Photograph: John Voos

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[Faint, illegible handwritten notes]

Peter Tatchell, the leader of Outrage, said the free vote on the age of consent was a top out. "Labour would never allow a free vote on discrimination against women or the black community and human rights are not a matter of MPs' consciences. Labour's pledge to incorporate the European convention on human rights will do little to help the gay community and little to eradicate homophobic discrimination.

"At the time of the 1992 general election, Labour had a manifesto commitment to introduce legislation to outlaw discrimination based on sexuality. That commitment now appears

هكذا من الاصل

Judges curtail juries' ability to punish police

Patricia Wynn Davies
Legal Affairs Editor

The freedom for juries to punish the police for misconduct was dramatically curtailed yesterday under Court of Appeal guidelines designed to cap "exemplary" damages awards at around £25,000 or less in most cases.

Giving judgment in two test appeals by the Metropolitan Police Commissioner, Sir Paul Goodwin, the court slashed £85,000 off the punitive element of a record £220,000 jury award to a south London hairdresser, Kenneth Hsu, last year for wrongful arrest, assault and false imprisonment.

Lord Woolf, the Master of the Rolls, said that £15,000 plus £20,000 basic and aggravated damages for maltreatment should "suffice to demonstrate publicly the strongest disapproval of what occurred and make it clear to the commissioner and his force that conduct of this nature will not be tolerated by the courts".

Mr. Hsu, 34, was held in a back lock, punched, kicked, struck across the face with keys and racially abused after officers tried to force their way into his home over a dispute with a lodger. He made two unsuccessful complaints to the Police Complaints Authority. His solicitor, Sadiq Kahn, said: "We

have previously had clients who have been awarded similar amounts, yet police officers continue to go unpunished."

In the second appeal, the three appeal judges declined to interfere with a £51,500 award (£1,500 in basic damages and £50,000 exemplary) to Claudette Thompson, a mother of three in her thirties, for false imprisonment, assault and malicious prosecution. But they made it clear that the appropriate award would have been £20,000 for basic and aggravated and £25,000 exemplary.

Under the guidance yesterday, judges will direct juries that the starting point for basic damages should be £500 for the first hour of loss of liberty, with damages on a reducing scale thereafter. In cases of malicious prosecution, the figure should start at £2,000. Aggravated damages, to reflect high-handed, insulting, malicious or oppressive conduct, should begin at £1,000.

Exemplary damages, to mark the jury's disapproval of police conduct, would be unlikely to be less than £5,000, but misconduct would have to be particularly deserving of condemnation to justify £25,000. The absolute maximum was £50,000, but only for particularly bad conduct directly involving officers of at least the rank of superintendent. Ms Thompson was assaulted by four or five officers. Officers, including two inspectors, later gave false evidence.

The judges urged that seven more appeals against heavy jury awards should be settled out of court. But Jane Deighton, solicitor for Daniel Goswell who received £302,000 after being hit over the head with a truncheon, said that she would have to consider the ruling's implications.

"The Court of Appeal has debased the role of the courts in upholding civil liberties. The maximum is now comparable to that payable in wholly incommensurable libel cases. The court condemned the police behaviour but their words will be ignored by the police even as they consider this judgment."

Beatles for sale: Only the wealthy need apply



Lennon and McCartney lookalikes Gary Gibson (left) and Lawrence Gilmour modelling two of the Fab Four's guitars up for auction today. "Lennon" holds a Rickenbacker, the only guitar signed by all four members of the band and expected to fetch between £80-£100,000, while "McCartney" has a gold-plated Hofner violin bass (£100-£150,000).

The sale collection of Beatles memorabilia, which includes articles such as McCartney's school maths book (tipped to fetch £25-£30,000) and the singer's birth certificate (£8-£9,000), should sell for more than £1m. Also for sale are the original lyrics to "Penny Lane" and Lennon's

such as McCartney's school maths book (tipped to fetch £25-£30,000) and the singer's birth certificate (£8-£9,000), should sell for more than £1m. Also for sale are the original lyrics to "Penny Lane" and Lennon's

Afghan coat worn on the cover of "Magical Mystery Tour". The auction will take place simultaneously in Japan and London, with bidders linked by satellite.

Photograph: Andrew Buurman

Hundreds seek help after HIV doctor dies

Glenda Cooper
Social Affairs Correspondent

Hundreds of worried women flooded hospital helplines yesterday after a junior doctor who died last week was found to be HIV positive.

In one hospital more than 2,000 babies were delivered in a maternity unit while the doctor, believed to be Dr Olukayode Fasawe, a 28-year-old Nigerian, worked there.

But doctors' leaders yesterday resisted calls for compulsory testing of all healthcare workers before they take up employment, saying it was a "simplistic solution" which would not protect the public.

At the Royal Shrewsbury Hospital, where the doctor worked from last August until 4 February, officials said that of the

2,000 babies born, 49 of the births involved Caesarean or other surgical procedures and three other women received gynaecological treatment in his presence.

Only these 52 were considered to be at very slight risk. By lunchtime yesterday 150 women had called the hospital.

Dr Rosemary Geller, Shropshire's director of public health, had a baby in the unit during the doctor's stay.

"The risk is minute, but I understand that Aids is frightening and it is important that we do everything we can to reassure these women," she said.

"At the same time I would emphasise that we have never had a case in this country of HIV or Aids being transferred from a healthcare worker to a patient."

DAILY POEM

Managing the business

By John Lucas

Flick-flick the wipers go
and that, too, could be sex,
like rain tonguing the windscreen, like
his Rover's beam probing furry dark.

Behind him, his office cools to yesterday:
though still he feels the pen gripped in his fist,
its nib that drove through twenty names: come
morning they'll queue in hope and he'll say no.

But now he plans her sleep: "yes", the white
neck as she bends to work and he stands there
choosing faces of men who'll plead for reprieve:
while visions last his love can never fail.

This poem comes from *One for the Piano*, the latest collection by the Nottingham-based poet, critic, editor, Research Professor (at Nottingham Trent University) and jazz cornet player, John Lucas. It costs £6.95 from Redbeck Press, 24 Aireville Road, Frizinghall, Bradford BD9 4HH.

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Western security: Secretary of State sets out agenda for joint military brigade to bind Moscow to alliance

Albright presses project for Nato

Christopher Bellamy
Defence Correspondent

America's "Iron Lady", Madeleine Albright, the Secretary of State, yesterday met John Major and senior ministers for discussions in London on global security issues. Diplomatic sources said her visit to London so soon after being appointed to America's senior diplomatic post was of "immense importance".

Ms Albright is due to fly to Moscow tomorrow, and the continuing crisis over Nato expansion and Russia's vociferous opposition to it topped the agenda. But this was overshadowed by reports that Poland, top candidate for Nato membership, had sold T-72 tanks to Iran. The Washington Times cited CIA reports that Poland had sent five shipments of tanks – the most recent last summer. Although the US would not comment on the allegations, the report will be acutely embarrassing, given US concerns about Iran and Britain's disquiet over the fatwa on Salman Rushdie.

"It's inexcusable for a potential Nato member to be sending militarily significant equipment to rogue regimes that are antithetical to the United States," a US official said.

Ms Albright arrived in London on Tuesday night having put forward a radical plan for a joint Nato-Russian military brigade as a way of binding Russia further into the Western security structure. She came determined to press the US view that Nato enlargement, embracing new democracies in eastern Europe, would take place whatever Russia's objections, and take place on time. But there are real problems to be overcome.

Yesterday, Western diplomats broadly welcomed her initiative to create closer links between Nato and Russia by establishing a joint Nato-Russian military brigade, but the Russians dismissed it as posturing. Russia wants a legally binding agreement with Nato as a prelude to enlargement: the US, with Britain in tow, wants an agreement which is not legally binding and which does not allow Russia to veto Nato decision-making. "The proposal helps the Russians see Nato changing to reflect the new security situation," one diplomatic source said, but the Russians were unimpressed.

Ms Albright's first official appointment yesterday was at the Cabinet War Rooms, where Winston Churchill ran Britain's effort in the Second World War. She then met the Secretary of State for Defence, Michael Portillo, and moved to 10 Downing Street, where she met the Prime Minister, John Major, and Sir Patrick Mayhew, the Secretary of State for Northern Ireland. Finally, she met the Foreign Secretary, Malcolm Rifkind.

Mr Rifkind has recently been in Hong Kong and he and Ms Albright were expected to share concerns about freedom for its residents after China takes over running the colony in July.

Cyprus, where the Greek Cypriots are engaged in large-scale rearmament, is of particular interest to Ms Albright who was Washington's permanent representative to the UN from 1993 until her appointment as Secretary of State. Diplomatic sources said last night that Britain, the former colonial ruler of the island, "planned to be active" with the US in resolving the 23-year impasse on the island.



Mission of State: Madeleine Albright and her entourage leaving the Cabinet War Rooms, off Whitehall, yesterday on their way to a meeting with John Major, Sir Patrick Mayhew and Malcolm Rifkind at 10 Downing Street

US steers perilous Russian course

Phil Reeves
Moscow

The Russians are sabre-rattling. They are bartering and spouting popular rhetoric aplenty. But none of this diminishes the perils bound up in the policy that Madeleine Albright, the American Secretary of State, will try to sell to the Kremlin when she arrives in Moscow today.

Her mission to persuade Russia to accept the eastward expansion of Nato marks the lowest point in the West's handling of their former adversaries since the end of the Cold War, and carries monumental political implications.

Even the details of the talks have been littered with misjudgements. Ms Albright's attempt to throw a carrot to her opponents by offering to set up a Russia-Nato brigade was greeted in Moscow yesterday first by silence, and then dismissively. "It is a tactical gimmick at making our position more difficult," said Alexei Arbatov, a leading member of parliament's defence committee.

Nor were Russians at all happy to see the Nato Secretary-General, Javier

Solana, touring the newly-independent states along its volatile southern flank last week. The alliance airily claimed the trip was long-planned, but – in terms of *realpolitik* – it was a blunder, deepening Moscow's widely misunderstood sense of outrage at a time when the West should be trying to calm emotions. Yet again, Russians had reason to believe that Nato was belittling its position.

They have a point. Nato's advocates often argue that Russia will ultimately accept the alliance's expansion because it has no choice, as it will go ahead even if no agreement is reached. They also tend to dismiss Moscow's protests as an attempt to extract the best terms possible from a foregone deal. Though partly true, this badly understates Moscow's position, and its significance.

Russia's democracy is a fragile and sickly infant. Boris Yeltsin may soon be forced by ill health to step down, unleashing fresh political uncertainty. The country desperately needs political and economic stability if its political institutions are to be sure of survival. To secure this, Moscow needs and wants a sound

relationship with the West – including full involvement in a new European security structure, and co-existence with the old Nato. The alliance, in its rush to ensure its own survival by growing, is creating the opposite conditions.

Resentment over what appears to Russian eyes to be post-Cold War triumphalism threatens to deepen domestic anti-Western sentiment and militant nationalism. The claim that ordinary Russians care little about Nato's growth is bogus, not least because it is based on highly unreliable opinion polls.

Less mention is made of a poll, earlier this month, which showed that four out of 10 respondents want Russia to become a dictatorship. It is no coincidence that the rising star of Russian politics, Moscow's mayor Yuri Luzhkov, has chosen to campaign on nationalist issues.

Russia's political elite, united in their opposition to Nato's growth, warn that anti-Nato sentiments could easily spawn disruptive policies, both at home and abroad. Expansion into Poland, the Czech Republic and Hungary is a political rather than a military threat, but

Moscow may respond by plunging more money into its armed forces – cash that is desperately needed for military reform, wages, and pensions.

The same voices warn that Moscow, angry and isolated, has a further excuse to seek closer ties with Iran and China. It is also likely to want to forge ahead with creating a defence and security system among ex-Soviet nations in the Commonwealth of Independent States (CIS), deepening Europe's new dividing lines.

Russia is no innocent in this unsavoury affair. It has played much of its hand dismally. The Chechen war only bolstered the case for its neighbours to seek Nato protection. It is also undeniable that much of Moscow's indignation is rooted in raw emotion, the injured pride of a fallen superpower.

Yet, for all their fury, Moscow's protests also reflect political realities. Nothing that Ms Albright can offer Russia today is likely to lessen the impression that – despite the experience of the last 80 years – the West has learnt little about the dangers of mishandling defeated superpowers.

French will not have to declare guests

John Lichfield
Paris

The French government yesterday backed down before the massed ranks of the country's artists and intellectuals and announced two changes to a proposed immigration law.

It remained unclear, however, whether it had done enough to quell the protests which are, in any case, aimed partly at the rise of the ultra-right French National Front. A large march against the new law – led by film directors, writers and actors – will take place in Paris on Saturday.

The principal objection of the protesters is a clause in the immigration law which would toughen an existing requirement for certain foreign visitors to obtain a "lodging certificate" before entering France. Under the original proposal, a local mayor would have had discretion to block the certificates and French hosts would have to alert the authorities when their guests leave.

The objections, led by artists such as the cinema director Bertrand Tavernier, and actress Catherine Deneuve, threatened to break the new law. They said it would turn France into a nation of anti-immigrant informers.

Under two alternative government amendments tabled yesterday, responsibility for administering the documents would pass to the prefects – the principal national government officers in each department. More significantly, it would be left to the visitors themselves to inform the authorities when they departed.

This shift in policy is not entirely the result of the protests. Aspects of the new law were almost certain to be declared unconstitutional by the Conseil d'Etat, the country's constitutional watchdog.

The protesters have made it clear that they are motivated, in part, by the recent poll success of the National Front. They said yesterday that the proposed amendments were not adequate calling for the complete withdrawal of the new law.

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THE DEATH OF DENG

After the years of despotism, China

Official successor has no clear rival for top job

Following the reported death last night of Deng Xiaoping, one man moves straight into the spotlight. As far back as three years ago, when China's top officials celebrated the centenary of Mao Zedong's birth, President Jiang Zemin stood proud on the podium of the Great Hall of the People.

He addressed the 10,000-strong audience, clearly positioning himself as paramount leader-in-waiting. Sadly for Mr Jiang, 70, the historical analogy most often drawn for him is not with Chairman Mao, nor Deng Xiaoping, but with Hua Guofeng. Mr Hua was Chairman Mao's chosen successor in 1976 - but it only took two years for Deng Xiaoping to usurp him and seize the reins of power. Mr Jiang is similarly seen by many as a transitional figure rather than a future paramount leader.

However, he should not be dismissed too lightly. Mr Deng's long decline before death means that Mr Jiang has had ample time to position himself for any looming power struggle. He has recently shown every sign of being determined to hang on to all his positions if he can.

Mr Jiang was Mr Deng's third choice as heir-apparent. The two previous candidates, Hu Yaobang and Zhao Ziyang, both reformers, fell by the wayside during the 1980s, the latter was sacked after the Tiananmen massacre, and Mr Jiang was catapulted through the Communist Party ranks to become general secretary. He was a compromise figure who was tolerable to both reformers and hardliners, and to boost his standing, was swiftly designated by Mr Deng as the "core" of the "third generation" of leaders who would steer China into the 21st century.

By 1993, at Mr Deng's instigation, Mr Jiang had also picked up the titles of com-

Teresa Poole looks at the man most likely to lead China into the 21st Century

mandar-in-chief of China's armed forces, and President of the People's Republic.

In China's opaque political system, however, job titles are no guarantee of status. Political power is more often linked to well-tested alliances and an effective client network behind the scenes. On this score, Mr Jiang is less secure. Has he the



Jiang Zemin: May be only choice

vision to lead the country towards a more mature system of government? Many Western analysts are unconvinced.

Born in 1926 in Jiangsu province, Mr Jiang's father was a martyr of the revolution who joined the party in 1930 and "sacrificed himself early on". In the official history, Mr Jiang "when young engaged in underground work" for the revolutionaries, joined the party in 1947 and graduated the next year in electrical engineering at Shanghai's Communications

University. In 1955, like many of his generation, he was sent to the Soviet Union, and spent six years at Moscow's Stalin Automobile Plant.

Back in China, he held administrative posts in various factories and research institutes until the Cultural Revolution, when he was sidelined but, according to the official histories, never lost his faith in communism.

Mr Jiang's rise to power started in 1982 when he was elected to the Central Committee. By 1985, he was the mayor of Shanghai. He joined the Politburo in 1987, and became Shanghai party chief the following year. He was only promoted to the Politburo standing committee in June 1989, due to his unexpected elevation to the position of party general secretary after the Tiananmen massacre.

The state propaganda machine has laboured to create an appropriate image of Mr Jiang as a man of the people. Official portraits describe him as "modest and courteous" and well-versed in classical Chinese poetry. He speaks English, Russian and Romanian, and likes art.

Foreign visitors often complained that the President rarely moved beyond pleasantries and formulaic restatements of official policy. According to one Western diplomat: "He has little grasp of detail, and the conversation jumps from one subject to the next. He likes to show off his languages, but meetings rarely yield much."

Another Peking diplomat said: "I've seen a lot of Jiang Zemin over the years. I don't think you can judge him entirely on the basis of the experience that the Westerner has in meetings with him."

"He may be a lot more effective and incisive in his purely Chinese roles. I think the verdict on him is sort of an unproven verdict."



The Great Helmsman: The late Deng Xiaoping, seen here with his grand-daughter Mian Mian. His death may lead to a power struggle. Photograph: New China Picture Co/Magnum

On the military front, the president has none of the revolutionary stature of the Long March generation, and no army background. So over the past three years he has actively courted the generals, making regular high-profile visits to army units, and increasing the defence budget. The tacit support of the military will prove crucial given his weak political

base. Mr Jiang's strongest card is his official designation as Mr Deng's successor. In the short term, he will also benefit from the fact that there is no obvious alternative candidate for the top job.

The Prime Minister, Li Peng, is much hated because of his support of the Tiananmen Square shootings. Zhu Rongji, the deputy prime minister in

charge of economic reforms, is widely respected among the new generation of technocrats, but has made powerful enemies during his attempts to cool the economy.

Qiao Shi, the head of the National People's Congress, is increasingly powerful but so far appears aligned with the President. At the moment, Mr Jiang has no clear rival.

Worrying legacy of social and economic ills

Daunting economic and social problems face China's leaders in the post-Deng era, threatening to undermine the authority of the Communist Party.

After nearly 17 years of rapid reform and breakneck economic growth, most people enjoy a much higher standard of living. But there is also widespread resentment about social ills, ranging from unemployment and endemic corruption, to the collapsing social welfare system. The Chinese needed no encouragement to follow Mr Deng's maxim that "to get rich is glorious", but the country is now experiencing the tensions that emerge when some people get much richer, much quicker than others.

On the economic front, China is suffering all the problems associated with rapid transition from a centrally planned system to one where market forces prevail. As one Western diplomat said: "There are a huge variety of scenarios available to choose from. There are plenty who take all the negative things, put them all together, and produce a catastrophe scenario, one in which China is going to break up, break down, central government will lose its authority, anarchy will ensue, and so on and so forth. Equally you can... construct scenarios which show an unimpeded advance towards some status as an economic superpower, sooner rather than later in the next century."

At the moment, more than a third of the country's state enterprises are losing money and millions of workers have been sent home from moribund factories with partial pay or none. It is estimated 40 million of the 147 million urban workers are surplus to requirements; even projections from the Ministry of

Labour speak of 268 million jobless by the end of the decade. The central government cannot allow large-scale bankruptcies because such a radical move would prompt serious labour unrest: already there are regular reports of disgruntled factory workers going on strike over deteriorating conditions, something unheard of in Mao's day.

Almost everyone lives much more comfortably than in 1978, but 70 million people, mostly in rural areas, remain below the official poverty level of £20 a year. In cities, too, the contrast between wealth and poverty is striking. At the bottom of the heap are the new urban poor, whose livelihoods are tied to loss-making state enterprises. The dislocation of Chinese society has raised the alarm about a breakdown in public order. An urban crime wave, ranging from petty theft to gang violence, has swept the country, and China's streets are far less safe than 10 years ago. In response, the central government in April 1995 launched the biggest anti-crime crackdown for more than a decade, and tens of thousands were arrested in its wake.

Chinese complain even more vociferously about corruption. Despite repeated campaigns by the government and the party, economic crimes, embezzlement and bribe-taking are increasing at alarming rates. Few business transactions are carried out without something to oil the wheels of the bureaucracy.

A Communist Party document outlined some of the abuses that should be avoided: "Officials are not allowed to build private houses with public funds... or attend banquets which could influence their decision-making process."

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THE DEATH OF DENG

marches into the great unknown

He showed no remorse for Tiananmen massacre



Defying Deng: A lone student faces the tanks in Tiananmen Square in June 1989

Photograph: Jeff Widner/AP

Reassessing the Tiananmen verdict is potentially the most politically explosive issue in the post-Deng era. "Sooner or later, there has to be a revision of the current verdict," a Western diplomat in Peking said. But any such revision of 4 June 1989, when hundreds of peaceful demonstrators were killed, is unlikely without far-reaching changes at the top of the Chinese Communist Party.

There have been repeated calls from political activists and dissidents for a rewriting of the official verdict on the pro-democracy movement.

In 1994, seven student activists involved in the 1989 demonstrations wrote in an open letter to the National People's Congress: "We believe the government's characterisation of it as a riot and a counter-revolutionary rebellion is unjust and immediate should be reassessed."

There have also been petitions from intellectuals, academics and activists echoing the demand for a review and the release of those imprisoned after 1989.

Such appeals still fall on deaf ears, however. Since 1989, the leadership has steadfastly defended Deng Xiaoping's decision to send in the People's Liberation Army. As President Jiang Zemin declared: "If the Chinese side had not taken the

resolute measures then, China would not enjoy the stability it is enjoying today." Mr Jiang himself was catapulted to power in the wake of the killings.

Mr Deng has never shown any remorse for the massacre. In the third volume of his collected works, published in November 1993, he explicitly took responsibility for the order to send in the troops. "It is lucky that I was still around. The matter was handled without difficulty," he told a visitor five months after the crackdown.

In recent years, however, the Deng family have had an eye on their father's place in history. His daughter, Deng Rong, defended him: "At least in my father's heart, he believed he had no other alternative but to take this action and that it had to be taken." But she added that China's inexperience in riot control had contributed to the "tragedy". On the question of whether there could be a reconciliation between the two sides, she admitted: "That's something which will be up to those who come afterward."

Mr Deng successfully obstructed any revision of the official verdict. In 1992, President Yang Shangkun proposed a fresh look at both 4 June and the position of Zhao Ziyang, who lost his job as party secretary after appearing sympathetic towards the students. Mr

Deng blocked any such move. In any power struggle in the post-Deng era, however, both reformers and hardliners could have a vested interest in overturning the verdict. It may be a way both to settle political scores and garner popular support. Those reformers who opposed the June 1989 military crackdown may blame Mr Deng posthumously for a misjudgement. Their aim would be to undermine the hardliners linked to the bloodshed, draw a line under the massacre, and press ahead with China's modernization. This could lay the ground for the rehabilitation of those in Mr Zhao's camp.

On the other hand, some hardliners have reportedly been planning to discredit Mr Deng's reform policies - and those who inherit his mantle - by blaming the 1989 demonstrations on the effects of "bourgeois liberalisation".

Just as an internal party power struggle may take years to be finally resolved, so probably will any rewriting of the official version of events in June 1989. "Now it has become possible to change that verdict, but I don't see it happening very quickly. A change in the verdict will mean that there has been a realignment of forces. And I think it will take some time for that to work its way through," one analyst said.

Long journey of the patriarch

1904: Born Deng Xihou in Sichuan province.
1920: Left China for France on a work-study programme.
1924: Joined Chinese Communist Party.
1927: Returned to China from Moscow; changed name to Deng Xiaoping; appointed chief secretary to party Central Committee.
1933: Disciplined for disagreeing with the party line and briefly imprisoned.
1937: Political commissar, 129th division, 8th Route Army.
1946: Political commissar, Shaoxing-Hebei-Shandong-Henan Military Command.
1950: Political commissar, South-west Military Command.

1952-1966: Vice-prime minister.
1953-1954: Also Minister of Finance.
1955: Joined party Politburo.
1956: Appointed party general secretary.
1963-64: Acting prime minister.
1966: Removed from party leadership and government positions.
1969: Sent to do manual labour in Jiangxi province.
1973: Rehabilitated and appointed vice-prime minister.
1974: Elected to the Politburo.
1975: Joined Politburo standing committee; vice-chairman of the party central committee; first vice-prime minister; chief of staff of People's Liberation Army.
1976: Removed from leadership.

1977: Reinstated to all posts held at the end of 1975.
1978: December. Emerged as paramount leader when third plenum of the 11th party central committee backed his policies of reform and modernisation.
1978-83: Chairman of Chinese People's Political Consultative Conference.
1980: Resigned as army chief of staff.
1982: Joined standing committee of the politburo.
1983-1990: Chairman of Central Military Commission.
1989: Ordered Tiananmen crackdown; announced retirement from public offices.
1994: Last public sighting in February. Died 19 February 1997.

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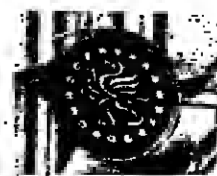
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Hope against hope: A policeman checks an Albanian's passport outside the Greek embassy in Tirana as hundreds of people queued, seeking work abroad after losing their life savings in investment scams

Photograph: Reuters

Albania on brink as the pyramid totters

Andrew Gumbel

The largest of Albania's so-called pyramid investment schemes, Vefa Holdings, appeared to be on the brink of collapse last night as it announced it was halting interest payments and setting up a schedule to reimburse investors with at least part of their capital.

The news, announced through a megaphone at Vefa's headquarters in the capital, Tirana, and confirmed by the company's president, Vefik Alimucaj, in an interview with the Albanian service of the BBC, has the potential to create economic and political pandemonium in a country already hit by severe rioting over the past few weeks.

Hundreds of thousands of Albanians have money tied up in Vefa's investment scheme, which has been the most popular outlet by far for savers over

the past two years. As Mr Alimucaj said earlier this week: "Not a day goes by without an Albanian having something to do with Vefa."

As other pyramid schemes ran into trouble, it cut interest rates from 6 per cent a month to 3 per cent, and switched payments from hard currency to the Albanian lek. But yesterday was the first time it halted payments altogether. The collapse of Vefa's investment arm would raise urgent questions about the creditworthiness of its other overt activities, which include hotels, restaurants, supermarkets, chicken farms, ferry services and bitumen production.

Western intelligence sources say it also risks sparking a kind of turmoil that will make the looting, burning and street battles of the past few weeks look like a children's tea party. Vefa is suspected of controlling major interests in arms and drugs



President Berisha: Touring country to save own skin

smuggling and its collapse, according to the intelligence sources, runs the risk of sparking an armed conflict between rival mafia gangs seeking to pick up the business it leaves behind. The immediate reaction was muted yesterday, as the news took some time to trickle out. There was a brief spasm of panic outside Vefa headquarters as investors feared they would lose their money altogether, followed by calm as they were told to start coming back today to claim their capital.

The company said it would make lump-sum payments immediately to anyone who had invested up to \$5,000 (£3,125), gradually repaying those with capital up to \$20,000. It was not clear what would happen to those who had invested more. Mr Alimucaj recently said his company had assets of \$600m. Its liabilities, according to diplomatic sources, could be three times that.

The growing conviction that Vefa is on the brink of bankruptcy sparked political manoeuvring over the past few days. President Sali Berisha,

whose Democratic Party has near-total control of the levers of power and the institutions of state, has gone on a tour of the country to make personal contact with the people and make extravagant promises such as the abolition of tax in some areas for the next two years.

He has tried to sound tough as well as tender, making clear the government can only repay assets frozen from failed pyramid schemes, not bail out the population from its own over-stretched resources. But the aim of the tour is clearly to save his own political hide and distance himself from his own government.

A growing throng within the Democratic Party is demanding sweeping changes. A memorandum presented at a meeting of the party's National Council by a prominent group of parliamentarians last week called for the dismissal of the government and its replacement by an emergency cross-party administration, the departure of Mr Berisha from the party in the interests of bolstering his presidential impartiality, and a postponement of next month's presidential election pending a full political resolution to the crisis.

Mr Berisha, who has put out discreet personal feelers to the opposition in recent months, is said to have agreed with every point except the one concerning his departure from the party. The former Democratic Party chairman, Eduard Selami, who has spent the past two years in exile in the US after his fall from grace in Albania, returned home on Friday and is believed to be engaged in discussions about the possibility of his heading a transitional cross-party government.

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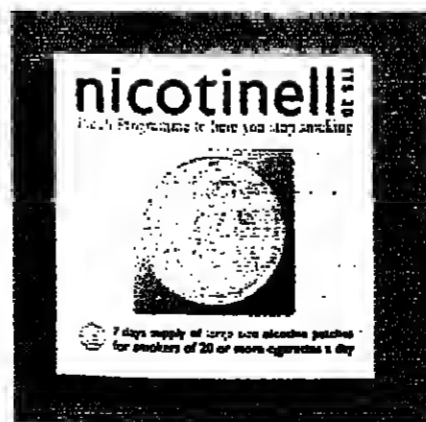
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Whitewater investigation continues, says counsel

Whitewater prosecutor Kenneth Starr moved yesterday to quash speculation that his departure means the investigation involving the Clintons is over, calling such guesswork wrong and dangerous.

"The reality is this: this investigation is active and it is at a sensitive stage with ongoing evaluative judgments. Those judgments have not been made," he said.

Mr Starr, the independent counsel who has been investigating business controversies and related cover-up allegations involving President Bill Clinton and Hillary Clinton since August 1994, issued his caution in a speech to lawyers in Washington. **Reuters - Washington**

47 bodies pulled from mudslide

Peruvian rescue workers have so far recovered 47 bodies from the site of a mudslide that buried two remote Andean villages, an official said. Fanny Vivanco, of the Abancay mayor's office which is coordinating the rescue, said: "There are unrecognisable bodies. We have a long list of people who have disappeared, but identification [of the 47 corpses] is difficult." **Reuters - Lima**

Vietnam colonels to visit US

Vietnam is sending a military delegation to the United States in a step toward possible future strategic cooperation between old enemies, the Pentagon said.

"Vietnam retains a large military that is in the midst of a modernisation effort," the Pentagon said in announcing the visit this month of six senior colonels from the Vietnamese Defence Ministry. "There's a natural basis for exploratory discussions regarding strategic issues of mutual interest." **Reuters - Washington**

Pakistan bans mixed dances

Pakistan's new government ordered a ban yesterday on what it called "mixed" dances of men and women together on state-run television as part of its plans to promote Islamic culture. An official statement said television officials were told that the new government's priorities were different from those of the previous ones. This appeared to be a reference to liberal trends introduced under former prime minister Benazir Bhutto to counter the popularity of foreign satellite channels. **Reuters - Islamabad**

Ciller survives impeachment vote

The Turkish parliament voted against sending Deputy Prime Minister Tansu Ciller to the Supreme Court for investigation into the sources of her considerable personal wealth. Deputy Speaker Kamer Genc said deputies voted 270 to 263 not to impeach Ms Ciller on allegations that her wealth was a result of illegal enrichment. It was the third and final corruption charge vote against her this week. **Reuters - Ankara**

Croatia defies tribunal

Croatia yesterday challenged the Yugoslav war crimes tribunal's authority and refused to hand over documents that might shed more light into atrocities against Muslims. The standoff underscored the already strained relations between the Croatian government and the tribunal, which says Zagreb's failure to cooperate is hampering efforts to bring accused war criminals to justice.

"If we don't move forward with real cooperation, this tribunal will be crippled," Judge Gabrielle Kirk McDonald warned. **AP - The Hague**

Not guilty plea at genocide trial

Two former senior Rwandan officials pleaded not guilty to genocide and crimes against humanity in their first appearances before the troubled UN tribunal into 1994's mass slaughter. Anatole Nsengiyumva, a colonel in the former Rwandan army, and Ferdinand Nahimana, a former director of extremist Radio Milles Collines, appeared separately before the tribunal in north Tanzania. They were the most senior former officials to plead but will be followed today by former colonel Theoneste Bagosora, widely considered the most wanted genocidal suspect detained. **Reuters - Arusha, Tanzania**

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A slip of the tongue, and the choice is easier

What a performance. Her Britannic Majesty's Principal Secretary of State for Foreign Affairs flies out. Before he has taken off he succeeds in demonstrating his party's terminal divisions on the subject of Europe. While there he gives a blue-ribbon demonstration of the coarseness and sheer lack of imagination in British official thought about Europe's foremost power. His tongue slips on the *Today* programme, causing Prime Minister and Chancellor hours of unwelcome scurrying and spinning. When he gets to Bonn he proceeds to lecture the Germans on, of all things, the beauties of nationalism. The mandarins of the Foreign Office, pillars of intellectual distinction, garnish his speech with a cliché of Immanuel Kant purloined from Isaiah Berlin and the only phrase sixth-form students of German ever learn from Martin Luther. Mr Rifkind, well briefed, manages to discuss the constitution of the federal republic without once ever mentioning that it is exactly that – federal. The fact that Germans think of European integration in terms of a concept of statehood which is historically and semantically quite different from the one current here escapes our man in Bonn.

But of course this was not really intended to be a speech addressed to the Konrad Adenauer Stiftung. It was a sorry attempt by a big man to raise his personal profile for the sake of party

posturing in the post-election stakes. Every time Mr Rifkind does this, he becomes a smaller man. As the *Rheinische Merkur* observed before Mr Rifkind arrived, this speech was never intended to educate the Germans and the Swedes and the Danes. It was really an address to the British electorate. He would have saved the taxpayer a return air fare if he had simply got on the train for Lime Street and made his pitch to the electors of Wirral South.

Let us immediately scotch the idea that there is something improper about Malcolm Rifkind crossing the North Sea to harangue foreigners. The old protocols about what ministers should do abroad were always prissy. It actually serves the cause of Europe well for nation-state politicians to seek to build trans-national alliances, and to comment upon each other's affairs in public. For Mr Rifkind to drop a crude hint that he favours Wolfgang Schäuble's position on European integration when Herr Schäuble is being bruited as a replacement for Chancellor Kohl does no harm. We would welcome Klaus Kinkel coming to London to embarrass the Tories by pointing up the burgeoning gap between our Chancellor and Foreign Secretary – not a difficult thing to do, of which more anon.

But visitors, especially Secretary of State visitors, owe their hosts a duty of historical attentiveness. It was not just Mr Rifkind's complete failure to grasp

the way the Germans live federalism that makes them so unworried by attaching powers to a European centre: the view of integration taken in Munich or Hamburg is heavily and properly skewed by the already-existing federal relationship between *Länder* and Bonn/Berlin. It was also his sheer lack of geo-political imagination. He says to the Germans: no, you cannot have European integration as presently conceived, that is bad for your national health. But there is nothing else for you either, save a utopian vision in which selling Mercedes-Benz cars becomes a recipe for universal peace

and brotherhood. British politicians really must learn that if they are going to engage the attention of Germans they have to address their deep need to build their country in to Europe, to a network of alliances, to a destiny. If they are to argue convincingly that Chancellor Kohl's project for Franco-German rapprochement (a.k.a. European Monetary Union) is to be rejected or deferred *ad interim*, there has at least to be the beginnings of a suggestion for what replaces it. The German political class is, it must be said, confused and uncertain about whether there is such an alternative. Constructive thought

from a British politician – *mirabile dictu!* – would be welcome.

But of course it is daft to expect originality from a Conservative politician at this point in the party's history or this stage in the electoral cycle. Votes and position are all; the long-run interests of the country be damned. According to John Major we have no need of exegesis on the Government's position on a single currency; wait-and-see ambiguity, hut straightforwardly ambiguous. However, Mr Rifkind yesterday set out to see how much clear blue water he could put between himself and Labour. Instead, no sooner had light streamed through the windows of Broadcasting House than he had set off an explosive device. We are, he said, *hostile* to single money.

Welcome the bang. It clears the air. Labour, per Robin Cook, has committed to a position which can be summarised as "empirical judgement on a nearer AD 2002". Malcolm Rifkind in effect says "never". If John Major were Jimmy Carter he would doubtless admit that he lusted after the Rifkind/Redwood position in his heart. So where on earth, let alone clear blue water, does that leave Kenneth Clarke? Waving and drowning? Behaving as you might imagine someone to behave who is witnessing his party slip further and further away from him but has not yet mustered the courage to articulate the difference?

The trip to Bonn was not therefore wasted, however little good it did the Germans. The nature of the European choice before the British people this spring became clearer. Labour, in its present buttoned-up mode, makes few slips of the tongue – witness the blandness of Gordon Brown's presentation in New York yesterday. Without slips of the tongue, its European position is friendly. The Tory stand, as Mr Rifkind revealed, is antipathetic. The choice becomes that much easier.

A legal spanner in the works

When should people be free to mutilate their consenting friends? As far as the law is concerned, never. That is why it would have been absurd for the European Court to do anything other than support the convictions in the Operation Spanner case. How could a court decide where consent ended and coercion began? Impossible.

But the real lesson of this case is that it should not have been brought to court. No one complained of an offence being committed. No other person's decency or privacy was invaded. No one was prevented from complaining by fear or intimidation. Better to have left it behind closed doors.

LETTERS TO THE EDITOR

What we can learn from Doncaster

Sir: Your leader ("Doncaster – a case for stronger councils", 18 February) rightly states that "whichever party or parties take power at the election, they confront a common task: the re-establishment of government in popular affection."

Labour's agenda for local government involves a combination of democratic reforms, new duties and responsibilities and strengthened audit powers, to ensure quality services and good value.

The Government's approach, in contrast, has been to dictate to local authorities, telling them what to do and how to do it. This is an attack on the very strength of local government – its ability to reflect the diversity of each locality.

Under a Labour government there will be a new relationship between local and national government, one based on respect and partnership rather than, as at present, dictatorial rule.
HILARY ARMSTRONG MP
Shadow Local Government Minister
House of Commons
London SW1

Sir: Doncaster is undoubtedly not the only Labour council to keep Tony Blair awake at night. As your leading article implies (18 February), the problem is rooted in having one party in power for generations faced with little chance of defeat.

Tony Blair's current response to embarrassingly left-wing or corrupt Labour councils is to retain Tory shackles on local councils such as capping.

The best way forward for the Labour leader is to abandon the first-past-the-post system in favour of proportional representation. This would be the best guarantee that situations such as Doncaster become a thing of the past.
DAVID RENDEL MP
(Newbury, Lib Dem)
House of Commons
London SW1

Sir: If the alleged excesses of Doncaster Council are to be put down to the effects of municipal one-party rule and the absence of an effective opposition, the Conservative Party must take its share of the blame.

Not only do the Conservatives come a distant third in council elections across most of South Yorkshire, but in whole swathes of the county they are unable even to field a candidate. This is a disaster for everyone who believes in local democracy.

The result of this Tory meltdown is that Labour candidates are now elected unopposed in many South Yorkshire council wards. It was not always thus. In 1968 the Tories took control of Sheffield City Council and throughout the 1970s and much of the 1980s formed a large and vigorous block in the city. They now have a single councillor.

Tory party managers must urgently reflect on the wisdom of an electoral strategy which has sacrificed their party at a local level in the North of England, Scotland and Wales in the hope of hanging on to national power in perpetuity with the votes of suburban, mostly southern, England.
COUNCILLOR PAUL BOWER
(London Borough of Hounslow, Lab)
Hounslow, Middlesex

Sir: I don't know how you can get the impression (leading article, 18



February) that "Labour's exercise of power locally is carefully hidden from view".

It might be hidden from those whose only contact with their Labour council is paying their council tax by direct debit. But it is certainly not hidden from the 60 per cent of people in a borough like Islington who have the council as their landlord or depend on its services. Their quality of life is crucially, and on a daily basis, affected by the inefficient and often dismissive treatment they receive. Nationally, we're told, they're a different party. But what is a party nationally but the sum of its local parts? Local government has more impact on many individuals' lives than national government.

I am not one who shares what you describe as a "consensus" that a quick fix of elected mayors and a stronger ruling caucus will do the trick. Indeed, those proposals might intensify the fundamental problem, which is the arrogance of patronage, concentration of power and top-down rule inherent in Labour's political heritage.
COUNCILLOR SARAH LUDFORD
(Islington, Lib Dem)
London N1

Clean your trains

Sir: Stagecoach might recoup some customer goodwill lost over the cancelled South West trains ("Minister labels rail company inept over cuts", 18 February) if it took the opportunity to clean them while they are in the depots with no drivers. It does not seem to have done much of this since taking over.

DR R M LOGAN
Walton-on-Thames, Surrey

Other ways to treat depression

Sir: It is not often I am persuaded to use the adjective "irresponsible", but I fear I must for the article written by Oliver James on SSRIs antidepressants and their use ("The blue Nineties", 11 February), and in particular the suggestion that any other pharmaceutical management of depression should not be tolerated.

Let us examine the proper facts, as outlined in *The Treatment of Depression in Primary Care*. This document reviews 162 worldwide research papers on depression.

Fact 1: Cognitive therapy has been shown to be as effective as other treatments of depression in primary care.

Fact 2: There is no significant difference in efficacy or compliance with treatment between tricyclic antidepressants and SSRIs. Compliance is clearly related to acceptability by patients of the effect of the drugs.

Fact 3: Shift to use of SSRIs as first-line drugs for depression would cost the NHS an additional £100m per year for no greater clinical outcome.

SSRIs do have a place, but not the one advocated by Mr James. They are highly effective where phobic symptoms are a feature and in eating disorders. However, if Mr James and his ilk were to have their way, there would be far fewer resources to employ the therapists

and mental health staff he also advocates using.

There is also one further fact he omitted. Paroxetine, one of the SSRIs, produces withdrawal reactions on cessation. This implies dependency can occur. I remember similar newspaper articles in the 1970s to that of Mr James's, talking about the wonder drugs of Valium and Librium... and we all know where that sorry episode ended.
DR JOHN OLDHAM
Glossop, Derbyshire

No avoiding the euro

Sir: Why are we allowing MPs to run the euro debate? What they mean by sovereignty is that having removed layer upon layer of local government, with which many of us felt reasonably comfortable, they are now realising that it is their turn. Will they, as a final act of defiance, try to damage the introduction of the euro?

That business in Europe and a great deal of world trade will be conducted in the euro is inevitable. That the majority of British-based businesses will turn to it is certain.

That employees will put their savings and pensions into the euro instead of a declining pound will be prudent. That more and more business will be conducted electronically in one of the three major trading currencies is unstoppable.

The sensible approach is to

acknowledge the inevitable and get ourselves into the driving seat.

ROBERT PRENDERGAST
Beckenham, Kent

Sir: Your leading article on the European Social Chapter (10 February) displays the common misconception that a level playing field in social protection is necessary to achieve fair competition within the European Union. This was indeed one of the reasons put forward in support of the inclusion of Article 119 (on equal pay for men and women) in the Treaty of Rome. However, the competitiveness of a company or industry is influenced not only by cost of labour, but also by numerous other factors such as the availability of a skilled workforce.

The real reason for insisting on minimum labour standards is not an economic but an ethical one – the protection of the workforce from exploitation, to which the lack of commitment by our present government is outrageous.
KELYN BACON
European University Institute
Florence

National Parks: own worst enemy

Sir: Stephen Goodwin, in his report on the National Parks ("Business ploughs a green furrow", 17 February), helps to perpetuate the Parks myth by referring to them as "England and Wales's finest countryside". This is nonsense. The

National Parks are, for the most part, upland areas, prone to a hostile climate at almost any time of year, and with very little of what the average Briton would class as "countryside".

The Parks are their own worst enemy. By so labelling themselves, they invite day-trippers. But their upland terrain seriously restricts communications, so that tourists in (for example) the Yorkshire Dales who wish to travel north-south are limited to just two or three single-track roads linking one dale to the next. Likewise, the various passes in the Lake District.

The best of the countryside is, perversely but perhaps fortunately, in those areas which are either more discreetly labelled (Areas of Outstanding Natural Beauty, Environmentally Sensitive Areas) or not labelled at all. Shropshire and Dorset come immediately to mind.

The sooner we debunk the myth of the National Parks, the better. The Scots, remember, have no National Parks at all. If they feel no need for them, why do we hang on to this idea in the South?
AD EVANS
Nottingham

Be fair to Danes

Sir: Further to Andreas Whittam-Smith's article, "What the archives reveal about stolen treasures" (18 February).

Do justice to the Danes! To my knowledge, the small Jewish community of Denmark survived almost entirely because the Danes largely resisted collaboration with Nazi Germany.
AXEL SCHEFFLER
London SW2

Backward steps on adoption

Sir: The High Court judgment on the tragic case of Edita Keranovic has highlighted how complicated adoption can be, and how information and advice for all parties involved in this difficult area is desperately needed to safeguard the interests of children ("Family furious as judge says war baby must stay", 18 February).

In the light of Stephen Dorrell's announcement on Monday that adoption is to be made more open and independent, the imminent closure of the Overseas Adoption Helpline due to sudden withdrawal of government funds is to be deplored.

The helpline provides the only source of accurate, independent advice available to social workers, lawyers and other professionals, as well as would-be adopters struggling through endless red tape both here and abroad.

It is incongruous that amid government declarations of desiring local authorities to become "enablers" rather than "providers", the Department of Health should now decide that such a valuable information service be provided by local authorities – which are under no statutory requirement to provide assistance with inter-country adoption enquiries – rather than by an independent voluntary organisation.

PETER THURNHAM MP
(Bolton North East, Con)
House of Commons
London SW1

Sir: I am disturbed by the decision of the Family Division in the case of Edita Keranovic, reported by Jojo Moyes. Surely the interests of the child would be better served by returning her to her natural family.

During the Nazi occupation of Europe, many Jewish children were hidden with Gentile families. At the war's end there were real problems when it came to returning these children to those of their natural families that had survived the Holocaust. Indeed there are cases of children who refused to return or of Gentiles who refused to give up their charges.

In 1945 European Jews were desperate to find their missing relatives, to know who had survived. Their anguish can only be imagined when, having located their children, they found that their precious offspring had been alienated from them, with devastating consequences for the future.
ERIC RENDEL
Edgware, Middlesex

Into battle for Hastings

Sir: As a frequent visitor to Hastings, I feel bound to defend the town after the distorted picture painted by Nicholas Roe ("Wrong time, wrong place", 18 February).

No mention was made of that unique charm found in the old part of town: the squealing gulls, the fishing activity and collection of old buildings around steep streets. Clambering up them brings the visitor to fine views of the bay, the ruins of a castle and a lively strollers' museum.

Attractions such as these and the Sea Life Centre are all more genuine than the tacky Vegas-style offerings in other coastal towns.
MARK GREY
Slidcup, Kent

Post letters to *Letters to the Editor*, and include a daytime telephone number.

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مكتبة من الأدب

essay

John Major is going to open the debate in the House of Commons over Scotland and the constitution today. He will raise the flag of the Union, which he believes won him the last election. And he ought to know. He intends it will win him this one too and dispatch Blair to the purgatory of opposition. The hard game commences. As it does Labour must project confidence in the principles of its commitment to reform. Otherwise Major could be proved right. The constitution is not its winning issue, but it can be a losing one.

Blair knows how to be an eloquent advocate of reform. His speech to the Labour Party conference as shadow Home Secretary before John Smith died and his Cardiff speech in his campaign to win the party leadership were not drafts produced by speech-writers for a busy leader more interested in other matters. The article that appeared over his name across three full pages of *The Economist* last autumn, passages of which are clearly in his voice, ranks as one of the best arguments of need for the constitutional reform of Britain. Major's inability to reply was a notable failure. In the battle of ideas a clear victory has gone to the swelling ranks of radicalism. Constitutional reform is not, however, a popular issue in England. Even though many reforms receive very high degrees of support (in the case of freedom of information an astronomical 80 per cent), they are not voters' prime concern. Only in Scotland, with its deeper constitutional culture, does the electorate sense a connection between reform and the delivery of better social and economic growth. Across the rest of Britain, reform can only become genuinely popular when it happens.

Labour wants to fight the election on other issues. The Government does not. And the Tories have spotted a weakness: Blair and his advisers have measured the fear of change that resides in the bosoms of swing voters. Of course, such voters desire some change, or they would not be swinging. To make sure they do not swing back Blair feels obliged to reassure them they need not fear a change of government. Some say that in his fear of the fear factor, New Labour risks destroying the hope factor of millions who positively want change. This could demobilise existing support. The Tories see a different, intrinsic



Blair's fear of the fear factor

The Tories plan to frighten the nation into spurning constitutional reform. But, argues Anthony Barnett, backing down in the face of hostile fire could prove fatal for Labour

vulnerability. By targeting Labour's fear of fear, they could expose it as a coward's strategy that no talk of strong leadership will disguise. If they succeed, Labour will emerge as genuinely dangerous or pusillanimous or both. Pendulum voters will then return.

The Tories will claim that Labour *naïveté* will destroy all we love best. That New Labour threatens the unity and coherence of our country with its half-baked plans. That concessions to Scots with a parliament and

to minorities with a bill of rights will arouse but not satisfy the beneficiaries. That such reforms will provide light without warmth and lead to demands for the fire next time. Once put to the torch, our institutions will burn out of control.

And what will Labour reply? Cool it, is the advice Blair will receive. Arouse no expectations, neither alarm nor palpitate hearts in the margins. Let the issue wither and focus on education, health, jobs and crime. Just tell the Conserva-

tives that they are being silly. In one sense such advice is right. Tragically, perhaps, voters still feel that issues of power, sovereignty and how the country is run, belong to "them", especially them with wigs and funny voices. But the Tories may well be right as well. They are more than used to rehearsing the supposed irrelevance of constitutional issues. They are Conservatives. They want the nature of the system kept to the margins of democratic politics. The long, historic silence was their first line of defence against mass suffrage. How is it, then, that those who are best at proclaiming the constitution's irrelevance now see it as an election-winning issue?

This is how they calculate it. The swing voter does not see all that much difference between the parties, except that Labour is new. We deserve a change, and while Blair is untried he can be trusted. As the constitution is the one issue where Blair has offered something different, it must be spun to show that Blair can't be trusted. If the Tories hammer at the issue, Labour could break and

run. Then the people will be aroused.

Through its fear of the fear factor Labour could be panicked – this is the Tory strategy – into proclaiming that its reforms are not radical. That they mean only a slight degree of change. That the sacred spirit of our historic settlement will be safe in its hands. That the intention is only improvement and in no way replacement, with horrid, continental style written documents. Then it will be ambushed with the quotes from Cardiff, from Smith, from Brown, advocating the need for a "new settlement". Confusion will be sown in Labour ranks.

Such a Tory ambush could be effective because the constitution does touch the unity and destiny of the country, our nature as a society, our character as a nation. Knowing this, they will exploit it. If Labour denies that it is seeking to reform the system as a whole – if it projects reform as technical, complicated and piecemeal – then the Tories will, in their defence against any tampering, speak out for the spirit of the whole. Fought out in these terms,

the Conservatives would have two decisive advantages: the truth and a clear message. The British constitution is not a technically. Change a part and you do indeed put the whole at risk, for it is a seamless web spun by the absolute sovereignty of parliament. Therefore Labour needs to justify the reforms it wants and say how it will lead the country in a fast-changing world.

But Labour does not have a theory of change. This is surprising as, more than any previous Labour leader (even if this is not saying much), Blair is interested in change. He is attracted to it and sees the need for it in Britain. But what kind of change does he want? Fear of the fear factor, it seems, has silenced any answer. It is unsurprisingly the case that his approach is sweeping and ambitious, because he has so described it himself. But what laws of motion is he seeking to unleash? With Thatcher we knew the answer. Change for her came from the market. Free the market, and wealth could be produced and trickle down. Blair is not a free-marketier.

He and Gordon Brown believe that the state is needed to help enable sustainable growth. A Fabian then? Blair has rejected "incrementalism", and it was old Labour that held that the man in Whitehall knew best. Liberalism? Blair rarely uses the word liberty. His political attitudes are communitarian rather than individualist. Obviously he is not a leftist who believes in a take-over from below. He is not – certainly not yet – a conservative parliamentarian who regards old institutions as embodying the wisdom of the ages. He sees the need for new answers and the redundancy of the old methods of arriving at them.

How, then, will he arrive at his? As the Tory assault on Labour's constitutional package gathers intensity, he had best respond. It could prove a disaster if Labour were to "deny" that a bill of rights, a Scottish parliament, abolition of hereditary peers, a freedom of information act, a referendum on the voting system, together add up to significant change. They would look evasive if not lying, because they would be evasive and lying. A

contemporary democratic agenda does mean a new settlement. Is this what Labour wants? Deny it, and they are caught. Accept it, and they will have to explain themselves.

There are only two ways of gaining a new settlement. Either all at once, in a single constitutional revolution, or step by step. Labour was right to reject Liberal Democrat demands for a "Big Bang" on the constitution. Its alternative is a process of deliberate change.

Two kinds of change are on offer. One from the Conservatives, only they will not say so, and the other from Labour provided it dares to say so. The first, the traditional Tory one, is adaptation in order to remain the same. The second, the New Labour one, is alteration in order to become different. The motivation for the first is that we are already the best and simply need to keep our superiority intact. The motivation of the second is that we have fallen behind and need to change the relationships between government and society.

In *Beyond Left and Right*, the sociologist Anthony Giddens calls this second kind of approach "realistic utopianism". Adapting Karl Popper, I prefer "transformative engineering". Whatever the name for it, the broad meaning is clear. As a species we are becoming responsible for our planet while class divisions harden on a world scale. A global response is essential to overcome the dangers and gain the benefits of our new capacities. In these circumstances, both decentralisation and regulation are essential for the achievement of common objectives that retain the competitive creativity of an open society. It follows that we need to establish ambitious goals while taking simple, tangible steps to achieve them. Let's call it purposeful evolution to contrast it with conservative preservation.

When Blair's advisers tell him to fear the fear factor they say people lack trust. However, people trust themselves much more than they trust any politician. There is a word for this: democracy. If Labour's constitutional reforms mean anything, they mean more and better democracy. It should not be afraid of saying so; it needs to give purpose to its method.

A firm rebuttal of John Major's constitutional assault is within Labour's means. Britain needs reform with consent that draws on the traditions of liberty and democracy. Consent means decentralisation and accepting difference (eg in Scotland). Power is to be shared, not monopolised. Uniformity and secrecy are British diseases, not successes. A freedom of information act will help to prove this, as it begins to cure it. The process needs to be time and must place confidence in the people. If Labour is too afraid to say this then, indeed, it should never have embraced reform in the first place.

The writer is director of the Birkbeck College Sovereignty Seminar.

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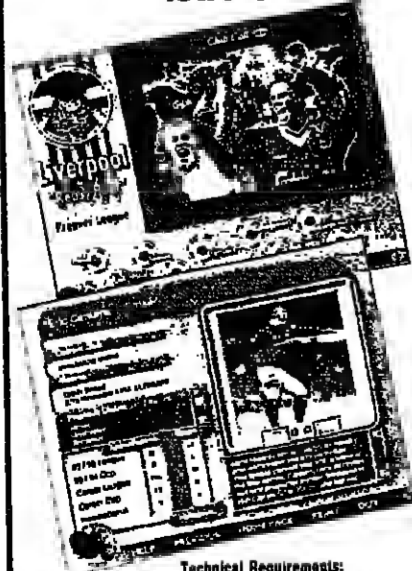
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Vote for us and mind your own business

One of the reasons that election talk is so baffling and so dreary is that it has fallen into the hands of journalists (who see it as a kind of confrontational soap opera), psephologists (who see it as a once-in-five-years chance to get vastly over-excited) and politicians (who see it as another chance to lie their heads off). So today I have summoned one of our top business experts, Sir James Lee Harvey-Oswald, to give a businessman's slant and answer your questions in a refreshingly businesslike manner. All yours, Sir James!

I am seriously thinking of investing my vote in one of the parties at the next election, but I do not want to enter into any agreement that I might later regret. Do you have any advice on what sort of contract I should look for?

Sir James Lee Harvey-Oswald writes: Oddly enough, there is no contract to be signed. It is all done by verbal agreement. When you have voted, you have given the

winning party your full approval to do whatever they like with your money for the next five years and there is nothing you can do about it. They do not have to consult you thereafter and they do not have to get your approval. They can buy or sell anything of yours they like ... What do you mean by anything?

Sir James Lee Harvey-Oswald writes: I mean anything they can get their hands on. Water, railway systems, arms to Iraq ... They have been selling railways to Iraq?

Sir James Lee Harvey-Oswald writes: No, just weapons. Should they have been doing that?

Sir James Lee Harvey-Oswald writes: No. But then they said they weren't. Why did they say that?

Sir James Lee Harvey-Oswald writes: They were lying. Oh dear. How did they justify that?

Sir James Lee Harvey-Oswald writes: They didn't. They just said afterwards that they hadn't been lying. So they lied about having lied?



Miles Kingston

Sir James Lee Harvey-Oswald writes: Yes. So you can see that there wouldn't be much point in entering into a contract with them because you couldn't trust them anyway.

Oh, well, don't they put anything in writing at all?

Sir James Lee Harvey-Oswald writes: Oh, yes. Every party issues a prospectus of undertakings before an election.

Ah! This sounds more like it! Can I get hold of it?

Sir James Lee Harvey-Oswald

writes: Certainly. It is called a manifesto, and it sets out the party's promises and commitments.

And if the party I give my vote to gets into power, it will carry out this programme of promises?

Sir James Lee Harvey-Oswald writes: Not usually. It would be considered quite odd, not to say suspicious, for a political party to carry out its election programme.

Why?

Sir James Lee Harvey-Oswald writes: Because an election manifesto is exactly what it says it is – a manifesto which enables it to win an election. When the election is good and won, they can put other ideas into practice. But surely if a party fails to abide by its own manifesto, it is guilty of fraudulent practice or uttering false promises or something, isn't it?

Sir James Lee Harvey-Oswald writes: Yes.

So you could sue them or take them to court?

Sir James Lee Harvey-Oswald writes: No.

Why not?

Sir James Lee Harvey-Oswald

writes: Even if you take a government to court, and even if you win, the government refuses to admit it. Michael Howard, the Home Secretary, is always being told by the law lords and the courts that he is wrong, but he never takes any notice. Why not?

Sir James Lee Harvey-Oswald writes: Science has not yet come up with a satisfactory explanation. Current thinking suggests that Mr Howard's DNA contains a smugness gene of such strength that it debars him from ever admitting he is wrong about anything.

My goodness! Poor chap!

Sir James Lee Harvey-Oswald writes: Precisely. That is why we must all feel sorry for him. Even the Labour Party feels sorry for him.

Does the Labour Party refrain from attacking him, then?

Sir James Lee Harvey-Oswald writes: Yes. Well, they have given Jack Straw the job of criticising him, which comes to the same thing.

More of this enlightening interview tomorrow, I hope.

كلنا من الامل

obituaries / gazette

Deng Xiaoping

The Achilles' heel of all authoritarian systems - the difficulty of handing over power - was a dynasty firmly in place - put the fate of China once again in the hands of an enfeebled old man over the last six years. While Deng Xiaoping shrank into senility, power-seeking factions circled hungrily round his throne and the country lacked the firm leadership it needed during a period of chaotic change.

The years of Deng's dotage carried painful memories of the early half of the 1970s when Mao Tse-tung took an infernally long time to die in his pavilion in the Zhongnanhai, the imperial compound, alongside Peking's Forbidden City, while his chosen heir and successor, Hua Guofeng, scrambled for power in competition with Mao's wife and the radical Gang of Four. With Mao dead, the race was eventually won by Deng, the twice-disgraced dark horse.

If history repeats itself, Deng's designated heir, President Jiang Zemin and his faction, which has amassed considerable power in recent years, will form a collective leadership until another strong man emerges from the ruck.

If Jiang does remain in power, it will be a welcome indication that his reforms and measures to institutionalise the power of the military have matured the system sufficiently to free China from the threat of personality cults and one-man rule. Nevertheless, palace politics are deeply ingrained. Jiang's succession could be challenged by either of his two main lieutenants: Prime Minister Li Peng, a colourless apparition who gained strength with other hard-liners in the crackdown which followed the Tiananmen tragedy in 1989 and who, with the ageing "Soviet faction", have always deprecated Dengist revisionism, and Zhu Rongji, a technocrat who tries to identify himself with reforms, modernisation and China's recent economic progress. Neither can the army's intervention be discounted. Last year's threatening manoeuvres as Taiwan prepared to go to the polls revealed its readiness to play the nationalist card in shaping politics.

Had Deng died in early 1989, most historians would have praised him as the pragmatic liberal who steered China back to a commonsense middle course after three decades of disastrous excesses. While his apologists can claim that his abandonment of a command economy put China, however belatedly, on the road to prosperity, the loss of so many state controls has complicated the task of his protégés in dealing with problems caused by the growth he triggered: an overburdened infrastructure, an overheated economy, inflation and an outflow of capital, plus a massive growth of corruption and criminal gangs.

Deng will also be remembered as the man who imposed martial law on China in May 1989, who gave his blessing to the groups who shot down the dissidents in and around Tiananmen Square and who subsequently ordered the imprisonment, purge and exiling of his critics. As a moderniser, he was willing to open up China to inflows of foreign technology, management techniques and investment, but not to the accompanying winds of change and flows of ideas. He was thus the architect of "market Marxism" but in the final analysis he had only Stalinist answers to the very forces his

policies had reinvigorated. His refusal to contemplate political liberalisation has placed his ghost among those of dozens of East Asian dictators who have clung on to power at any cost.

During the 1980s "Mr Pragmatism" was the pin-up boy of Hong Kong and others who wished China and its future well, and his anti-dogma aphorisms "Learn truth from facts" and "It does not matter whether the cat is black or white as long as it catches mice" were widely quoted with enthusiasm. Nevertheless, the 1989 crackdown should not have come as a surprise: Deng's career was remarkable not only for an elastic capacity to survive but a ruthless readiness to take any steps to ensure that survival.

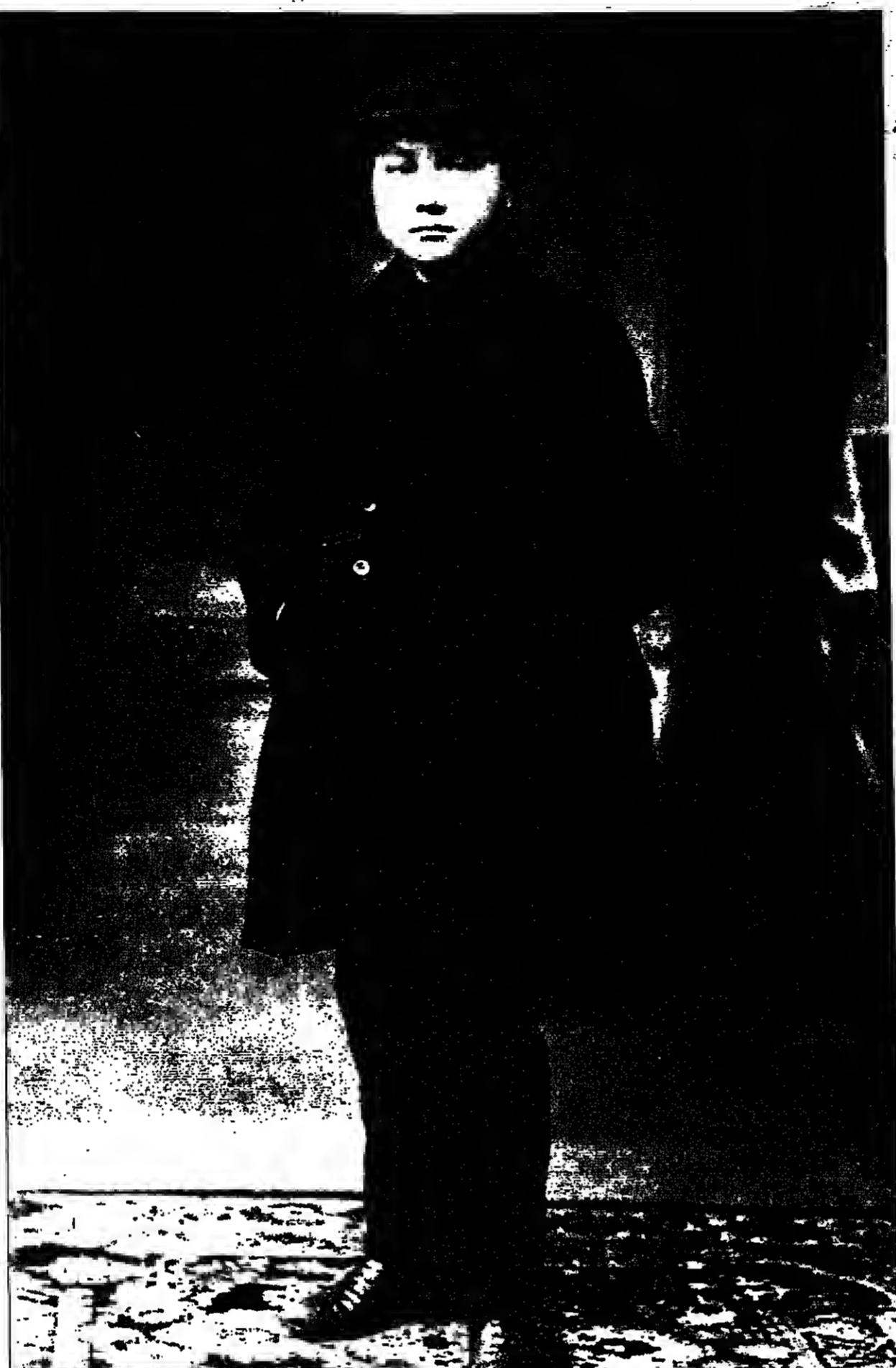
The son of an educated minor landowner in the Western province of Sichuan, Deng sailed for France at the age of 16 as a worker-student. There, between 1920 and 1926 (his years in France overlapping with those of Chou En-lai), he imbibed Marxism and became a professional revolutionary. He received training in the arts of the underground during 11 months in Moscow on his way home, where he immediately plunged into secret Communist Party work, chiefly among the workers of Shanghai.

By 1930 he had joined Mao Tse-tung's army fighting the Kuomintang in Guangxi province, later taking part in the heroic Long March in which Mao's forces escaped from the encircling Kuomintang armies to traverse much of China in 1934 and 1935, before establishing a stronghold in the north-west province of Yanan. Deng's military service was recognised after the defeat of Japan when he became a member of the party's Central Committee, and he played an important role in the campaigns which finally ejected the Kuomintang to Taiwan and established the People's Republic in 1949.

Deng, always a practical man, had proved an energetic and capable implementer of Mao's orders. After serving as his political and economic commissar responsible for south-west China, Deng moved swiftly up the Party and government hierarchy, becoming Secretary General of the Central Committee and Minister of Finance in 1953. Vice-Chairman of the National Defence Council and Vice-Premier in 1954 and a Politburo member in 1955.

In the following year he went with China's delegation to the 20th Congress of the Soviet Communist Party, where he was affronted by Nikita Khrushchev's denunciation of Stalin. A frequent visitor to Moscow, he played a leading role as polemicist in the developing Sino-Soviet dispute which led to an open breach in 1960. Thereafter Deng was responsible for the most bitter attacks on Moscow's desire that the socialist world should avoid a nuclear showdown with the West, pushing the Maoist theory that the revolutionary forces of the Third World were in effect peasant armies surrounding the bourgeois "cities" of the industrialised nations. The future pragmatist who was to be dismissed by Mao as "knowing nothing of Marxism-Leninism", had proved himself a radical ideologue as well as a capable revolutionary, a commissar and soldier.

Nevertheless, as Mao's Cultural Revolution began to get rolling on its chaotic and destructive course, Deng dis-



The making of a professional revolutionary: Deng as a 16-year-old student in France, 1920

Photograph: Magnum

tanced himself from the Chairman's worst excesses. The main target of the Red Guards' violence was the head of state, Liu Shaoqi, but Deng (who with Liu had been running the economy) was denounced as the "No. 2 Capitalist Roadster". The Red Guards permanently crippled one of his sons by throwing him out of a window, but Deng himself made a grovelling self-criticism (showing the talents for survival which always served him well) and, thanks largely to the intervention of the prime minister, Chou En-lai (his former companion in France), called in debts of friendship from the military and with the rest of his family sat out the years of violence with his stepmother and his third wife in the southern province of Jiangxi. Liu died miserably on the floor of a prison cell.

It was not until 1973, as

Chou En-lai was repairing the damage done to China's economy and its international relations, that Deng returned to public life, as Vice-Premier and Vice-Chairman of the Party - a rehabilitation which infuriated the ailing Mao's wife and the Gang of Four. Chou died in January 1976 and Deng's obvious qualifications for the premier's office were ignored. Public disturbances which broke out in April 1976 by crowds resentful of deliberate insults to the memory of the popular Chou gave the leftists their chance. Once again Deng was dismissed from all his posts under a barrage of radical propaganda accusing him of attempting to push Party policies to the right.

Mao's death in September and the arrest and imprisonment of his widow and the Gang of Four cleared the way

for another comeback in 1977 when Deng became Chief of Staff of the Armed Forces, Vice-Chairman of the Party and Vice-Premier. From these positions Deng launched a series of wide-ranging reforms, beginning with the countryside. Massive decentralisation swept away the communes set up during Mao's disastrous Great Leap Forward in the late 1950s: allowing peasants to grow and harvest the crops of their choice. As the peasants' incomes rose, Deng broadened his political base, eroding that of the colourless Hua Guofeng, who was eventually removed from power in 1981.

Deng had encouraged intellectual debate. Peking's Democracy Wall, on which dissidents wrote long complaints about the Party and the bureaucracy, was one of his chief weapons against Hua. Once Hua was defeated,

however, criticism was stifled and the wall was closed down. Deng's main aim was economic growth, but first he had to impose the political stability on which he could build. He ended China's role as an exporter of revolution and people's wars, his numerous foreign visits convincing him that China had to make up for the lost years of Mao and catch up with its increasingly prosperous neighbours.

His two main viceroys were the party secretary, General Hu Yaobang, who played a double public-relations role as "Mr Intercontinentalism" abroad and "Mr Bourgeois Liberalism" at home, while the economy was in the hands of a fellow Sichuanese, the prime minister Zhao Ziyang. This pair became the target of the hard-liners and old Marxists who were unwilling to defy

Deng himself but who deeply suspected his downgrading of ideology in favour of getting results accompanied by vague assurances of "socialism with Chinese characteristics". Hu came under fire in 1987 after an outbreak of student demonstrations, and meekly resigned. Later that year at the 13th Party congress, Deng required another scapegoat and Zhao gave up his premiership to the hard-liner Li Peng. Dogmas and principles were easily sacrificed by the great pragmatic revivalist; so were friends and close allies.

The same Congress brought some compensation in the form of a resolution providing Deng with retrospective ideological justification: it ordained that China was only at "a preliminary stage of socialism", thus conferring the Party's imprimatur for non-collective farming, private enterprise, material incentives, profits, privatisation and even for stock exchanges and golf courses.

One of Deng's main achievements during these years was to retain the loyalty of the military. Deng's "Four Modernisations" programme was aimed at agriculture, industry, technology and defence - in very much that order. The People's Liberation Army was still facing 50 well-equipped Soviet divisions across a long border, and had forfeited much status since the days when it was the proud standard-bearer of Mao Tse-tungism. Deng, who had divested himself of all party and government posts except the chairmanship of the Military Commission, managed to keep his generals sweet, while at the same time eroding them as a force in the political equation. But his successful manoeuvring was defeated in the end when he had to summon them back to central power.

Ironically, the disgraced Hu Yaobang was to have his revenge by dying in April 1989. A huge crowd gathered in Peking to mourn a man who had become a symbol of public anger against party arrogance, bureaucratic inefficiency and high-level corruption. At the time, intellectuals were preparing to celebrate on 4 May the 70th anniversary of the great 1919 scholar-student revolt against dictatorship and corruption. In this "emotional" atmosphere, Deng made two gross errors, by agreeing that on 4 May Peking should host the annual meeting of the Asian Development Bank and that Mikhail Gorbachev should arrive for the first Sino-Soviet summit talks since the 1960 split. The ensuing tragedy of Tiananmen was to play itself out in front of an international audience and force Deng's hand.

Paraphrasing the massive demonstrations in Hong Kong supporting the Tiananmen demonstrators triggered fears in Peking about the possible political impact of the re-absorption of the free-booting city into the Chinese body politic - fears which caused China to break its promises of an elected Hong Kong legislature and to adumbrate other measures to restrict freedoms and human rights there. Death has prevented Deng from realising his ambition of going to Hong Kong to witness the hand-over.

After the killings, Deng thanked the soldiers who had saved his skin, brought more generals and hardliners into top posts and finally sacked his economic overlord, Zhao Ziyang (who had expressed sympathy with the demonstrators). His Open Door policies

had imported destabilising ideas as well as money and expertise, and he spent the remaining years of his life trying to embargo the former while maximising the latter in the cause of economic growth.

Perhaps because his underlings were busily manoeuvring to succeed him, perhaps because he was no longer capable of exercising hands-on control, the grip of government loosened and the long-suppressed entrepreneurial talents of the Chinese began to blossom in the relaxed atmosphere. Bereft of any titles or constitutional authority, Deng was still the strong man, the patriarch whose wishes were law by virtue of his Long March provenance, his extreme old age and his undeniable right to the throne.

Foreign capital from Hong Kong, Taiwan, Japan and elsewhere triggered double-digit growth in coastal cities and southern provinces, which became the world's fastest-growing region. Nevertheless, the weakening of central controls has left Deng's successors with huge problems: an overheated economy, over-strained infrastructure and unequal development which has fanned resentment in the provinces which have not shared in the growing prosperity, experiencing only falling agricultural prices, over-taxation and the demands of increasingly corrupt party cadres.

His successors will also have to face the problems which the inevitable death of Chinese Marxism will bring and which Deng put off in his determination both to cling on to power and to save China from the chaos reigning in Russia and the rest of the formerly socialist world. He provided his country with a transitional breathing space between the megalomaniac years of Mao and the future, which will see the eventual opening of China and the collapse of party authority.

By living so long and presiding over the belated but undisciplined release of China's pent-up entrepreneurial energies, Deng has probably condemned China to one of two tragic courses: a harsh reimposition of controls, either by the party or an emergent strong man, or the very chaos he, like all Chinese, feared most. Either way, in the longer term, the energies Deng released will inevitably re-assert themselves, in the form of both economic and political activity.

Derek Davies

Deng Xiaoping, politician: born Guangan, Sichuan, China 22 August 1904; Political Commissar, 2nd Field Army; People's Liberation Army 1948-54, Chief of General Staff 1973-76, 1977-80; First Secretary, East China Bureau, Chinese Communist Party (CCP) 1949-54, Secretary-General, Central Committee, CCP 1953-56; member, Politburo 1955-67, 1974-76, 1977-87; Secretary of Central Committee 1956-67; Vice-Chairman, Military Affairs Commission 1975-76; Vice-Chairman, Standing Committee 1977-87; Party or an emergent strong man, or the very chaos he, like all Chinese, feared most. Either way, in the longer term, the energies Deng released will inevitably re-assert themselves, in the form of both economic and political activity.

Births, Marriages & Deaths

BIRTHS

O'CONNOR: On 14 February to Sharon (née Kelly) and Miles, a beautiful daughter, Elizabeth Grace.

DEATHS

DRIVER: Christopher Proust, writer, *Guardian* journalist, gourmet and music lover, died peacefully at home on 15 February after a long struggle with a brain tumour. Private cremation followed by service of thanksgiving on Tuesday 25 February. Spun at the United Reformed Church, Pond Square Chapel, Highgate N6. All welcome. No flowers. Donations to Marie Curie Cancer Care, c/o Laverion & Sons Ltd, 1 Denmark Terrace, London N2, 0181-444 5753.

HAMBLYN: Eric Lionel, aged 66, of Rye, East Sussex. After a short illness, 18 February 1997. Donations to RNLI.

Announcements for Gazette BIRTHS, MARRIAGES & DEATHS should be sent in writing to the Gazette Editor, The Independent, 1 Canada Square, Canary Wharf, London E14 4DL, telephoned to 0171-293 2011 or faxed to 0171-293 2010, and are charged at £6.50 a line (VAT extra).

ROYAL ENGAGEMENTS

The Honourable Caroline, Viscountessess of Howe, will marry the Honourable Lord George of Kent, Viscountess of Kent, at Buckingham Palace, 11.30am, head provided by the Colour Press, London.

Birthdays

Mr Robert Altman, film director, 72; Mr Roy Beggs MP, 61; Mr Gordon Brown MP, 46; Professor Andrew Fabian, astronomer, 49; Dr Ruth Glips, composer and conductor, 76; Mr Jimmy Greaves, television commentator and ex-footballer, 57; Mr Eddie Hemmings, cricketer, 48; Mr Ian Irwin, executive chairman, Scottish Transport Group, 64; Commandant Dame Marion Kettlewell, former Director, WRNS, 83; Mr Roger Knapman MP, 53; Mr Mike Leigh, playwright and theatre director, 54; Professor Donald Longmore, cardiac surgeon, 69; Lord McNally, head of Public Affairs, Standard Consultants, 54; Mr Norman Miscampbell QC, a Recorder of the Crown Court and former MP, 72; Mr John Murphy, chairman, Interbrand Group plc, 53; Mr Phil Neal, former England footballer, 46; Mr David O'Dowd, HM Inspector of Constabulary, 55; Sir Frederick Page, former chief executive, British Aerospace, 80; Dr Valerie Payne, former Headmistress, Malvern Girls' College, 57; Mr Sidney Pollitt, film actor, 70; Vice-Admiral Sir Cameron Rusk, former chief executive, Scottish SPCA, 71; Mr William Walker MP, 68; Mr George Waring, actor and director, 70; Mr Barry Wordsworth, conductor, 49.

Anniversaries

Births: Honour Danmire, caricaturist and painter, 1808; Henri Vieuxtemps, violinist and composer, 1820; Mikheil von Munkacsy (Michael Lieh), painter, 1844; Charles Vlocut Massey, statesman and diplomat, 1857; Georges Bernanos, novelist, 1888; Dame Marie Rambert (Civia

Rambert, later Miriam Rambert), founder of the Ballet Rambert, 1888; Carl Mayer, film director, 1892; Anna Easton Adams, photographer, 1902; Alexei Nikolaevich Kosygin, Russian leader, 1904; Deaths: Pope Martin V, 1431; James I, King of Scotland, assassinated, 1437; Luca della Robbia, sculptor, 1482; Gentile Bellini, painter, 1507; Nathan Field, actor and playwright, buried 1633; Aurangzeb, last Mogul emperor of India, 1707; Joseph II, Holy Roman Emperor, 1790; Andreas Hofer, Tyrolean patriot, executed, 1810; Joseph Hume, physician and social reformer, 1853; Augustin-Eugene Scribe, playwright, 1861; Robert Edwin Peary, Arctic explorer, 1920; Oswald Theodore Avery, bacteriologist, 1955; Laurence Housman, playwright, novelist and illustrator, 1959; Sir Charles Leonard Woodley, archaeologist, 1960; Percy Aldridge Grainger, composer, 1961; Chester William Nimitz, admiral, 1966; Mikhail Aleksandrovich Sholokhov, author, 1984; Robert Oxton Bolt, playwright and screenwriter, 1935. On this day: Candy, Ceylon (now Sri Lanka), was captured by the British, 1803; Austria declared herself to be bankrupt, 1811; the French defeat the Spanish at the Battle of Saragossa, 1809; a great storm raged in England, with much damage to the Crystal Palace, while the steeple of Chichester Cathedral was blown away, 1861; the Panama-Pacific International Exposition opened in San Francisco, 1915; the Netherlands West Indies were purchased by the US, 1917; Anthony Eden resigned as British Foreign Secretary, 1938; the first London production of the musical *Where's Charley?* took place, 1938; John Glenn, astronaut, was

launched into space in the Mercury capsule *Friendship 7*, 1962; new-design 100 notes were issued, showing a portrait of Florence Nightingale, 1975; poisonous fumes from a volcano in Java resulted in 175 deaths, 1979. Today is the Feast Day of St Eleutherius of TOURNAI, St Eucherius of ORLANS, St Sadoth, Saints Tyrannus, Zenobius and their Companions and St Wulfrie.

Lectures

Victoria and Albert Museum: Alex Buck, "New Forms in Design: art nouveau", 6.30pm. Tate Gallery: Stuart Morgan, "The Work of John Coplans: evidence and rhetoric", 6.30pm. British Museum: Richard Greca, "The Greeks on the Body Beautiful: phallos, fatness and fun", 1.15pm. National Portrait Gallery: Alfred Bradley and Susan Morris, "Ignatius Sancho and Laurence Sterne", 1.10pm. Gresham College, Bazaar's Inn Hall, London EC1: Professor Susan Greenfield, "Exploring the Brain. Memory", 1pm. Royal Society: Professor Peter Biggs, "Marek's Disease: tumours and prevention", 5.30pm.

Dinners

Foreign & Commonwealth Office: Mr Malcolm Rifkind QC MP, Secretary of State for Foreign and Commonwealth Affairs, held a dinner yesterday at 1 Cadogan Gardens, London SW1, in honour of Mrs Madeleine Albright, Secretary of State of the United States of America.

Court will grant leave to enforce costs order

LAW REPORT

20 February 1997

Wraith v Wraith, Court of Appeal (Lady Justice Butler-Sloss, Lord Justice Peter Gibson, Lord Justice Potter) 15 February 1997

Where an order for costs not to be enforced without the leave of the court (known as a "football pools" order) was obtained against a legally aided litigant and that litigant, as a result of suing his solicitors for negligence in their conduct of the case, subsequently obtained an insurer's indemnity against any costs he might be required to pay in the original action, it would thereafter be proper for the court to grant an application for the successful party for leave to enforce the costs order against him on the ground that his circumstances had changed.

The Court of Appeal allowed the defendants' appeal against the decision of Judge Cooke, sitting as a deputy High Court judge on 15 April 1996, who dismissed their summons for leave to enforce an order for costs against the plaintiff, under regulation 130 of the Civil Legal Aid (General) Regulations 1989 (SI 339), on the ground of a change in his circumstances.

The action arose out of a

partnership dispute between two brothers in relation to a family farm in the north-east of England. The plaintiff claimed he was a partner with the defendants. They denied it and the plaintiff, who had legal aid, began proceedings on 22 July 1982.

On 28 August 1991 the action was struck out for want of prosecution. Costs were awarded to the defendants, who were not legally aided. But since the plaintiff was legally aided, the district judge directed that the order for costs be not enforced without further leave of the court.

The plaintiff sued his solicitors for negligence and settled that action on payment to him of £60,000 with costs. He was also indemnified by the Solicitors Indemnity Fund against any costs he might incur should the defendants in the partnership action obtain leave to enforce their costs order.

The defendants' costs in the sum of £27,864.62 and they sought leave to enforce them on the ground that, be-

cause of the indemnity obtained in his action against his solicitors, the plaintiff's circumstances had changed.

Jur. Karsten QC (Hague & Dixon, York) for the defendants; *Nicholas Davidson QC (Wandsworth Willey & Hargrave, Leeds)* for the plaintiff.

Lady Justice Butler-Sloss said the judge made a typical order for costs not to be enforced without leave of the court. Its effect was to suspend the plaintiff's obligation to payment indefinitely. On an application by the defendant under reg 130 the court might make such order as it thought fit. The court had a wide discretion as to the order that might be made, ranging from refusing any variation to giving the defendant leave to enforce the order in whole or in part.

What were the relevant considerations? The order was originally termed a "football pools" order, a term no doubt coined on the assumption that many legally aided litigants who lost had only a remote prospect of ever achieving a financial situation sufficient

to meet the costs of their unsuccessful litigation. If, however, they did, there seemed no good reason of principle or common sense why they should be treated differently from a formerly impecunious litigant who won a football pool. Nor was there any good reason to exclude from the list of contingencies the settlement of an action (whether or not connected with the litigation in which the costs order was made). Finally, where that settlement carried with it the right to an indemnity against payment of costs under the very order the subject of the other party's application, the case for variation was likely to be overwhelming.

Their Lordships would reject entirely the notion that to make an order for payment in such a case was to grant a windfall to the party whom *ex hypothesi* the court had earlier decided was entitled to payment of those costs.

It would always be a matter for the judge on the facts of each case before him to consider whether the suspended order should be met in full or in part.

Paul Magrath, Barrister

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business & city

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Exposed: Who gets what from Eversholt's great gravy train

Chris Godsmark and Peter Rodgers

The storm over rail privatisation intensified yesterday when it was confirmed that four directors of the rail leasing company Eversholt, along with senior venture capitalists, were to share a £50m cash bonanza from the group's sale to the HSBC banking giant.

In addition, a wide range of investors including the Metropolitan Museum of Art in New York, an investment account run by Wolverhampton Borough Council, and the California, Utah and Massachusetts Institute of Technology pension funds will share indirectly in the bonanza.

Top of the list of personal windfalls was Andrew Jukes, Eversholt's managing director who invested £110,000 in the buyout, and will receive a total of £16.5m in cash, of which £6m goes to a trust fund set up for his three children.

Senior executives of two venture capital firms, Candover and Electra Fleming, will share up to £6.7m of immediate profit for a personal investment totalling less than £45,000, and further gains - running into millions - in future years.

Eversholt was sold to its management last February for £580m, but just a year later it has been bought by HSBC for £726.5m, an increase of £146.5m over the sale price. After a change in the financial structure,

the actual gain was £386m for the shareholders, who put up a tiny £2.5m for the ordinary shares just over a year ago.

The move follows the huge public outcry over the sale of Porterbrook Leasing, another rolling stock company, to Stagecoach last year for £825m. The Porterbrook affair resulted in profits of £300m and netted £36m personally for its managing director, Sandy Anderson.

The individual windfalls in the Eversholt sale are slightly smaller, but still represent a 15,000 per cent increase on the price paid in the management buyout. Last February, the £726.5m paid by HSBC includes the repayment of £273m

of debts and a further £674m to pay off preference shares held by venture capital funds.

One senior director of Eversholt has lost out on the cash bonanza, however. Hugh Griffiths, the former commercial director, is believed to have left Eversholt following a dispute with other directors, just before privatisation last year, and never held shares in the company. An Eversholt source said: "His face just didn't fit in the job."

Mr Jukes fiercely defended his windfall, insisting he had taken a substantial personal risk in the venture. "The picture in 1995 was of pessimism and cynicism about the whole process. Experts predicted that it would

not run smoothly. We went against the grain at the time and took the risk. It's paid off."

Last night it emerged that Colin Haggood, finance director, is to depart in the next two or three months, pocketing £12.1m based on his last documented £80,000 stake.

Peter Harper, Eversholt's chairman, has also resigned from the group with immediate effect. A former senior Hanson executive, his one-year stay at Eversholt has netted him £2.99m from a stake of less than £20,000.

Of the profit made by venture capitalists, up to £5.5m was made by Electra Fleming's management team, chaired by Michael Stoddart. Their stake is

believed to comprise a large part of the 36,665 Eversholt shares held by a company called EF Nominees Ltd. Electra Fleming is the management company of Electra Investment Trust, which has the former defence secretary Tom King on the board.

A further £1.2m was made by Candover's management, which is chaired by Roger Brooke, with Stephen Curran as chief executive and Gavin Fairweather his deputy. Of the £1.2m, £375,000 was made by Colin Buffin and Robert Clark, who are on the Eversholt board.

The Candover and Electra Fleming venture capital teams stand to gain millions more in future years from a share in the £200m profits made from the deal by partnerships their firms manage on behalf of other investors. Candover was the lead investor in setting up the Eversholt buyout from British Rail.

Executives including Mr Stoddart are entitled to a 10 per cent share in the profits made by Electra Private Equity Partners, which made £104m profit on a £696,000 investment. The executive profits kick in above a threshold of 10 per cent - made by private limited partnerships managed by the company. In 1995, execu-



First-class return: Andrew Jukes, who invested £110,000 in the buyout and will receive £16.5m in cash

tives shared £18m in profits from the investments of a 1989 Candover fund. It is through these partnerships that many other investors including the Metropolitan and Wolverhampton share in the profits.

HSBC's leasing arm, Forward Trust Group, argued yesterday that it had paid a "fair market price" for Eversholt.

Asked why it had not made a bid during the original privatisation last year, Graham Picken, chief executive, said: "At that stage privatisation was very much in its infancy. The situation has now changed enormously."

Forward Trust will take over Eversholt's fleet of 4,000 electric locomotives and commuter trains, giving it the largest fleet of the three rolling stock leasing companies. Mr Picken said he wanted to increase investment in the company and expand staff numbers from the 66 currently employed as a precursor to bidding "aggressively" for an estimated £1.5bn of new orders planned over the coming years by the 25 privatised train operating companies.

Additional research by Patrick Masters.

Comment, page 21

FirstBus in £54m takeover of London bus group

Magnus Grimond

Some 2,000 employees in CentreWest, a London and Home Counties bus group, will share in a £7m windfall after the group agreed a £54m takeover deal with FirstBus, the rapidly expanding bus and railways group. The acquisition will also net around £9.7m for four CentreWest directors, led by Peter Hendy, the managing director.

The payments, all to be made in FirstBus shares, represent a rapid return for the management team, which headed the £25.6m buy-out of the business when it was privatised in September 1994. The four put up around £250,000 and will now share in 51 per cent of the £19m being paid by FirstBus for the equity capital.

But Mr Hendy said last night the business then was not comparable to the group as it is today, which as well as the original bus services in west, central and south-east London, acquired the Berks Bucks Bus Company for £7.65m last year and is a member of the consortium which won the bid for the £200m Croydon tram project, where CentreWest is to be the operator. Profits, which were £5.86m on turnover of £44m in the year to March, have nearly tripled since privatisation. Pro forma sales, including acquisitions, is currently running at around £60m.

Mr Hendy said he could not determine the individual payouts for staff until various issues were cleared up with the employee trust which holds the shares. Any share payments will effectively be gifts, as staff paid nothing for their holdings. "One of the things I always wanted [at the time of the buy-out] was that the employees should get equity regardless of whether they had money or not."

He described himself as "one of the few people in the bus industry who have done it to stay in it". He added that one of the conditions of a sale was that it had to be to someone who wanted to keep on running the business.

Shares in FirstBus gained 5.5p to 240p yesterday, despite a statement from the Office of Fair Trading that it was considering whether to refer the bid to the Monopolies and Mergers Commission.

Sorrell comes closer to scooping £30m pay bonanza

Tom Stevenson City Editor

Martin Sorrell looks increasingly likely to scoop a maximum payout of more than £30m from a controversial remuneration package that was sold to shareholders as almost impossible to achieve 18 months ago.

While his quest to secure Britain's largest executive pay package received a setback yes-

terday as shares in WPP were hit by disappointment that full-year results were not accompanied by a share buy-back, strong profits growth last year mean Mr Sorrell is almost certain to clear all obstacles to his unprecedented pay bonanza.

The advertising and PR group's shares fell yesterday from 267p to 253p, below one of four trigger points for the issue of free shares worth more than

£14m. Mr Sorrell has already passed one milestone, at 198p a share, and is about to secure another 1.17 million shares, worth £3m, because WPP's shares will soon have been above 230p for 60 consecutive working days.

To secure the maximum share handout he must navigate WPP's shares above 265p and then 304p for the same 60-day qualifying period before September 1999. With the adver-

tising market growing strongly and WPP's shares trading on a relatively undemanding rating by industry standards, he looks certain to clear the hurdles.

The market had traced itself for a share buy-back yesterday and was disappointed that WPP only said it was putting aside £25m for returning to shareholders "when market conditions are appropriate". Mr Sorrell did say, however, that strong

cashflow would mean the Ogilvy & Mather to J Walter Thompson media combine would be debt free within two years.

That would represent a considerable achievement for a company that came close to going under in the early 1990s, swamped by a mountain of debts incurred during a heavy spending spree in the boom conditions of the late 1980s. Only a series of financial restructurings al-

lowed WPP to start the long haul back to recovery.

Yesterday's figures for the year to December 1996 confirmed the continuation of that recovery. Pre-tax profits of £153.3m compared with £113.7m in 1995 and less than £8m in 1992. Earnings per share rose 46 per cent to 13.3p, above consensus expectations and the final dividend increased 32 per cent to 1.144p.

Mr Sorrell said operating margins, which increased during the year from 9.6 to 10.8 per cent, would continue rising at more than 1 per cent a year.

He said there was no reason why WPP should not match its best performing rivals such as Omnicom and Interpublic, whose best-performing divisions generated a return on sales of up to 17 per cent.

Investment column, page 22

McNeil tipped to move to Schroders

Jill Treanor Banking Correspondent

There is strong speculation in the City that Schroders is close to hiring yet another senior executive from arch-rival NatWest Markets, the investment banking subsidiary of National Westminster Bank.

Attempts to confirm the speculation were met by a wall of silence from Schroders and NatWest Markets, which only served to strengthen the rumours in City circles.

NatWest lost a handful of key personnel to the family-controlled Schroders merchant bank last year, and sources said yesterday Schroders' ranks would soon be swelled by the recruitment of John McNeil.

Mr McNeil is the highly paid head of equity primary markets at NatWest Markets and, according to sources, is believed to have been offered an equalising senior and well-remunerated position in Schroders' rapidly expanding securities operation. If he does join Schroders he

will be following a well-trodden path to the merchant bank's headquarters in London's Cheapside. The first person to embark on the path from NatWest to Schroders last year was Philip Augar, head of global equities and fixed-income sales. He runs Schroders' securities operation in London.

Mr Augar, who is on holiday and unavailable to comment on the rumoured recruitment of Mr McNeil, last year hired former colleagues Richard Wyatt and Patrick Wallington, who were head of equities and equities research respectively at NatWest Markets.

Schroders has also recruited staff from other rivals, including Merrill Lynch and Goldman Sachs, from which it hired Paul Walton, equity strategist.

"Schroders have been taking from everywhere," one source said last night. "There are some good people in there now," another said.

NatWest Markets replaced Mr Augar by hiring Tom Whelan from Morgan Stanley.

Sainsbury opens bank with high rate for savers

Nigel Cole

The prospect of a price war on savings accounts moved a step closer yesterday when Sainsbury launched its banking operation with a range of accounts and credit cards with highly competitive interest rates.

With an instant access account offering interest of 5.75 per cent on balances as low as a pound, analysts said Sainsbury's move could force high street banks and building societies to offer better rates. Rates on similar accounts offered by rivals such as Halifax and Barclays are as low as 0.5-0.75 per cent.

Neil Baker, banking analyst at Dresdner Kleinwort Benson, said: "There is potential for a deposit price war. To win business you've got to be offering 5 per cent."

Building societies which have retained their mutual status are trying to poach customers by offering better rates than rivals which are converting to banks. The price battle is expected to escalate after the lock-in effect of the Halifax and Woolwich conversions lapses.

Midland Bank admitted the deals offered by supermarkets would increase competition but said: "We try to give customers what they want rather than compete with new entrants."

Though Tesco and Safeway have already launched deposit accounts, Sainsbury's Bank represents the most significant move by a supermarket into financial services.

The instant savings account is a 24-hour telephone banking operation which offers a card that can be used in 10,000 Link machines. There is also a Christmas Saver account for

Interest rates on instant access accounts				
	£1	£500	£1,000	£5,000
Barclays	0.75%	0.75%	0.75%	0.75%
Bank of Scotland	0.75%	0.75%	0.75%	0.75%
Bank of Ireland	0.75%	0.75%	0.75%	0.75%
Bank of Wales	0.75%	0.75%	0.75%	0.75%
Bank of Yorkshire	0.75%	0.75%	0.75%	0.75%
Bank of England	0.75%	0.75%	0.75%	0.75%
Bank of London	0.75%	0.75%	0.75%	0.75%
Bank of Northampton	0.75%	0.75%	0.75%	0.75%
Bank of Southampton	0.75%	0.75%	0.75%	0.75%
Bank of Worcester	0.75%	0.75%	0.75%	0.75%
Bank of Bristol	0.75%	0.75%	0.75%	0.75%
Bank of Exeter	0.75%	0.75%	0.75%	0.75%
Bank of Gloucester	0.75%	0.75%	0.75%	0.75%
Bank of Hereford	0.75%	0.75%	0.75%	0.75%
Bank of Leicester	0.75%	0.75%	0.75%	0.75%
Bank of Lincoln	0.75%	0.75%	0.75%	0.75%
Bank of Mansfield	0.75%	0.75%	0.75%	0.75%
Bank of Nottingham	0.75%	0.75%	0.75%	0.75%
Bank of Oldham	0.75%	0.75%	0.75%	0.75%
Bank of Peterborough	0.75%	0.75%	0.75%	0.75%
Bank of Reading	0.75%	0.75%	0.75%	0.75%
Bank of Rochdale	0.75%	0.75%	0.75%	0.75%
Bank of Shrewsbury	0.75%	0.75%	0.75%	0.75%
Bank of St Albans	0.75%	0.75%	0.75%	0.75%
Bank of Stirling	0.75%	0.75%	0.75%	0.75%
Bank of Stroud	0.75%	0.75%	0.75%	0.75%
Bank of Telford	0.75%	0.75%	0.75%	0.75%
Bank of Torquay	0.75%	0.75%	0.75%	0.75%
Bank of Truro	0.75%	0.75%	0.75%	0.75%
Bank of Warrington	0.75%	0.75%	0.75%	0.75%
Bank of Warwick	0.75%	0.75%	0.75%	0.75%
Bank of Wells	0.75%	0.75%	0.75%	0.75%
Bank of Weymouth	0.75%	0.75%	0.75%	0.75%
Bank of Wigan	0.75%	0.75%	0.75%	0.75%
Bank of Wolverhampton	0.75%	0.75%	0.75%	0.75%
Bank of Worcester	0.75%	0.75%	0.75%	0.75%
Bank of Worcester	0.75%	0.75%	0.75%	0.75%

customers who want to put away a regular monthly sum.

The accounts do not come with cheque books or facilities for overdrafts, direct debits or standing orders. However, Sainsbury hopes to launch a full current account service in the next few months.

Sainsbury has also launched a standard Classic and a Gold credit card with competitive interest rates of 18.5 per cent and 14.7 per cent respectively. Purchases attract points on Sainsbury's Reward card.

Customers who transfer their outstanding balances from their credit cards to Sainsbury's Bank will receive up to £60 or 6,000 Reward points.

Sainsbury's marketing director, Kevin McCarten, said: "We believe we have a clear lead on this. The interest rates are dynamic and it is because we do not have the high costs of a branch network that we are able to offer these terms."

He promised more products would be offered during the year, including personal loans, mortgages and insurance.

Sainsbury's Bank, which is operated in conjunction with Bank of Scotland, opened for business yesterday in 244 stores. It is being launched in Scotland, northern England and the Midlands but will be rolled out nationally over the next few months.

Nonadvice savers, page 21

Sales pick up on high street in January

Diane Coyle Economics Editor

January brought a healthy rebound in high street sales after a disappointing Christmas dip, according to official figures yesterday. The stronger-than-expected rise added more fuel to the interest rate debate.

Minutes of last month's monetary meeting, also published yesterday, showed the Governor of the Bank of England still taking a tough line in calling for a half-point increase in the cost of borrowing. He has since indicated that he would now favour a smaller rise. But back in mid-January, Mr George said the Bank still thought it likely base rates would need to rise by half a percentage point "fairly soon".

He said there was a case for making the full move straight away.

Kenneth Clarke turned down the advice, mainly on the grounds of the strong pound. According to the minutes: "The Chancellor said he did not believe that enough account had been taken of the strength of the exchange rate."

The sterling index closed 0.8 points higher at 97.6 yesterday, compared to 96.4 on the date of the January monetary meeting.

The minutes also report Mr Clarke saying that official figures exaggerated the fall in unemployment, with the smaller drop recorded in the quarterly Labour Force Survey a better guide to what was happening. Some economists said this was a case for making the full move straight away.

The Chancellor recently decided against switching to a monthly Labour Force Survey. The Chancellor repeated his views yesterday, saying the lat-

est retail sales figures did not change his judgement. He said: "If you look at the overall picture of the economy, we have good steady growth and a level of base rates which is going to keep us on target for inflation of 2.5 per cent or less."

Yesterday's figures showed the underlying volume of high street sales neither accelerating nor slowing down.

The year-on-year increase of 4.6 per cent in January was the highest since a record jump of 4.9 per cent in the year to March 1989. But the annual change in the three months to January, a better guide to the trend, was 3.9 per cent. Sales volumes increased by 0.6 per cent during the month, more than City analysts had expected.

The biggest rises in January were in clothing and footwear and household goods. Sales volumes at department stores were the strongest in year-on-year terms.

Some City experts took comfort from the fact that shoppers needed the inducement of low prices. "There is no high street price pressure," said Simon Briscoe of investment bank Nikko.

Others thought the latest advance on the high street, along with increases in real take-home pay, falling unemployment and the prospect of windfall gains from building societies, supported the Bank's case. "However, with the Chancellor acting on a political agenda, any rate rise will be delayed until after the election," predicted Clarian Barr at Deutsche Morgan Grenfell.

Mr Clarke would not be drawn on interest rates yesterday. He said: "We will wait for the next meeting."

STOCK MARKETS									
	Index	Close	Day's change	Change (%)	1996/97 High	1996/97 Low	YTD %	1996/97 High	1996/97 Low
FTSE 100	4367.40	+25.10	+0.6	4367.40	3632.30	3.61			
FTSE 250	4820.40	+7.70	+0.2	4820.40	4015.30	3.37			
FTSE 350	2149.80	+10.50	+0.5	2149.80	1818.90	2.56			
FTSE SmallCap	2348.43	+2.98	+0.1	2348.43	1854.06	2.61			
FTSE All-Share	2121.75	+8.79	+0.4	2121.75	1791.95	3.51			
New York	7072.85	+5.39	+0.1	7072.85	5932.94	1.92			
Tokyo	10596.12	+128.37	+0.7	10596.12	17303.67	0.881			
Hong Kong	13106.32	+3.38	+0.0	13106.32	10204.87	3.251			
Frankfurt	3233.75	-42.41	-1.3	3233.75	2253.36	1.471			

INTEREST RATES									
	Short sterling	UK medium gilt	US long bond	1 Month	3 Month	6 Month	1 Year	2 Year	Long Bond
UK	6.06	6.58	7.08	7.88	7.18	8.03			
US	5.31	5.69	6.30	5.98	5.57	5.37			
Japan	0.53	0.59	2.37	2.00					
Germany	3.16	3.22	5.51	6.39	5.30				

CURRENCIES									
	£/\$	£/DM	£/¥	£/A\$	£/NZ\$	£/HK\$	£/SG\$	£/R\$	£/IN\$
£/\$	1.6123	+1.08c	1.5444						
£/DM	1.6025	+0.10c	1.5450						
£/¥	160.24	+1.29c	163.871						
£/A\$	0.76	+0.8	84.0						

Source: FT Information

business

DTI frees tenants from beer contracts

Tom Stevenson
City Editor

A flotation of Inntrepreneur moved a step closer yesterday as the Department of Trade & Industry released the company, one of the UK's largest chains of pubs, from a raft of restrictions and freed its tenants from their obligation to buy beer only from Scottish & Newcastle.

The deal, which was welcomed by Inntrepreneur's chief executive, Mike Foster, should allow numerous legal rows between Inntrepreneur and its tenants to be resolved, clearing a stumbling block to a stock market listing. Analysts said they expected Inntrepreneur, which owns 2,900 pubs, to come to the market with a price tag of about £800m.

Inntrepreneur was formed in 1989 when Foster's, which then owned Courage, acquired the brewing interests of Grand Metropolitan and a joint venture company was created to hold the two companies' pub estates. Following a Monopolies and Mergers Commission investigation of the deal in 1990, undertakings were made to reduce the vertical links between the Courage brewing company and the estate and to reduce the geographical concentration of pubs tied to Courage.

Yesterday's decision by the DTI means Inntrepreneur is no longer required to limit its estate to 4,350 pubs, is no longer limited to 20 per cent of the pubs in any petty sessional district and is no longer required to free any pubs it still owns from tie by next year.

In exchange it must allow its tenants to buy beer from brewers other than Scottish & Newcastle, the current owner of Courage, in a move which is expected to reduce tenants' costs

considerably. Discounts for barrels of beer have widened in recent years thanks to the increasing buying power of independent chains such as Greenalls and JD Wetherspoon, but Inntrepreneur tenants have largely missed out on the downward trend in prices because of their onerous tie to Scottish & Newcastle.

Mr Foster said: "Inntrepreneur has now been given the opportunity to operate on the same playing field as other independent pub companies." Announcing the change, John Taylor, Minister for Corporate and Consumer Affairs, said: "I have agreed that Inntrepreneur should be released from the existing undertakings. Inntrepreneur's estate is considerably smaller than at the time the undertakings were introduced. In addition to this, the operation of pub chains has become clearer since the time of the merger. Pub chains can stimulate competition, providing a counter-balancing force to the selling power of the large brewers."

Referring to the ongoing legal rows between Inntrepreneur and its tenants, he said: "I recognise that there has been some friction between Inntrepreneur and its tenants. I welcome the recent issue of a Code of Practice covering Inntrepreneur's relationship with its tenants, which has demonstrated the company's desire to resolve these differences. I am sure that Inntrepreneur will respond to this decision in a similar spirit, seeking to foster relationships with its tenants."

The decision to allow Inntrepreneur to extend its tie beyond 1998 is certain to anger some tenants who have alleged inflated beer prices as a result of the current tie agreement.



Fresh steps: The formation of Siemens GEC Communications marks another phase in the transformation of GEC under its new managing director, George Simpson (above), who has already announced sweeping changes. Photograph: FT

GEC seals Siemens joint telecoms deal

The network of commercial partnerships between General Electric Company of the UK and Siemens, the German electrical engineering giant, was strengthened yesterday with the formation of a new telecommunications company, writes Chris Godsmark.

The jointly owned group, Siemens GEC Communications, formed last year when Mercury Communications, the main UK subsidiary of Cable & Wireless, sold 75 per cent of its business telephony equipment division to Siemens, reducing its shareholding to 25 per cent.

GPT is the UK's largest manufacturer of telecommunications equipment and a leading

supplier of the hardware used in private company phone networks. It will specialise in developing large private systems including video-conferencing and computerised switchboards. The new company will employ around 3,000 staff and will have annual sales of £265m. Neither Siemens nor GEC has disclosed a value for the total deal.

The formation of Siemens GEC Communications marks another step in the transformation of GEC under its new managing director, George Simpson, who joined the group from Lucas in September last year, replacing its long-standing head, Lord Weinstock.

Mr Simpson has already stamped his mark on GEC by announcing a sweeping reorganisation of its internal operating structure, replacing the network of businesses into main operating divisions, each under a separate managing director.

France to auction stake in Thomson

John Lichfield
Paris

The French government has decided to invite bids for its £1.3bn controlling interest in Thomson-CSF, the defence wing of the electronics giant Thomson SA. The decision follows the embarrassing collapse in December of an attempt to privatise the entire Thomson group. The government, which has rejected pleas from the company's senior management for a stock market flotation, hopes to complete the sale of the military electronics operation by early summer.

Paris will retain an *action spécifique* (golden share) to maintain a degree of political control over the destiny of the company and to prevent its dismemberment. It wants Thomson-CSF to be paired with other French defence companies as the first stage of an anticipated wider restructuring of the country's military industrial complex.

Bidders are certain to include the Lagardère group, owner of the Matra missiles, space and telecommunications company, which was the senior partner in the privatisation deal which collapsed in December. Its principal rival will once again be the space and telecoms company Alcatel Alsthom, probably in association with the plane-makers Dassault and Aerospatiale.

The French treasury is said to hope that an auction, as opposed to a flotation, will bring a premium price for its 58.4 per cent stake in Thomson-CSF, now valued at Fr12bn (£1.3bn). But the government, seemingly wanting the best of all worlds, also let it be known yesterday that it would like Lagardère and Alcatel (and possibly other interested parties) to co-operate in the running of Thomson-CSF.

Government sources said the flotation option had been rejected, in part because it felt the Paris Bourse, also facing the first phase of the privatisation of France Telecom, would not be able to raise sufficient funds. This argument was curiously rejected on the stock market, which has been setting new records daily for several weeks. Jérôme Labin of the Pinatton company on the Bourse told *Le Monde* yesterday: "The market has appetite enough to eat the whole planet and, as long as the paper is good enough, it seems the cash can be printed overnight."

To sweeten the pill for Thomson-CSF management, 10 per cent of the stock of the company will be reserved for employees.

The first attempt at privatisation of the entire Thomson SA group was bailed in December after the French privatisation watchdog objected to the terms.

Yorkshire Water loses first round of bill battle

Chris Godsmark
Business Correspondent

Yorkshire Water, the privatised water and sewerage group, has lost the first round of a bitter legal battle over increases in bills to one of its largest industrial customers.

Illingworth Morris, one of Europe's biggest producers of wool fibres, revealed that it has been given the go-ahead by a High Court judge to pursue

a legal case against Yorkshire Water, alleging it had been unfairly overcharged. In the meantime, the water company has been prevented from recovering some £1.5m in unpaid bills until a full hearing, expected to take place later this year.

It also emerged last night that the Bradford-based Parkland Group, which makes wool fabrics for Marks and Spencer and other retailers, has also been threatened with imminent

court action from Yorkshire Water in a separate, though similar, dispute.

Yorkshire Water became embroiled in furious rows with textile companies over increases in sewerage bills imposed from 1994. The firms involved, which became nicknamed the "dirty thirty", claimed in some cases their waste water charges had gone up by three times. Textile manufacturers use huge quantities of water in dyeing and finishing processes. Most of the firms involved in the row have since paid their bills. A spokesperson for Yorkshire Water could not be contacted last night.

The Illingworth Morris case, claims its subsidiaries, Jarmals and Woolcombers Processors, saw their bills rise by 47 per cent above inflation over a period of six years. Illingworth Morris had claimed in court that the increases were contrary to the Treaty of Rome, which protects

against companies who misuse their dominant market power.

Alan Lewis, chairman of Illingworth Morris, explained: "We have worked in harmony with Yorkshire Water for many years. However, since the utility's privatisation our business relationship has become difficult and, from our point of view, commercially unviable. We still hope that, with the arrival of new management at Yorkshire Water, Common sense will prevail and

further legal action will prove unnecessary."

Mr Lewis added that the £1.5m was not the real issue in the case. He continued: "It's the principle of unfair and unjust charges which make us uncompetitive in Europe."

Separately, the Parkland Group confirmed that it had been threatened with court action by Yorkshire Water over one element of its waste water charges.

With the W000,000,0

- Pre-tax profit up 18% to £392 million (excluding conversion costs)
- Cost:income ratio down from 48.9% to 45.8%
- Unit trust and life funds under management up 58% to over £1 billion

- UK Stockmarket Fund ranked in top quartile of unit trusts over one, three and five years.
- Net mortgage lending up 50% to £1.4 billion

ملف من الأصل



COMMENT

our diversification strategy. We are well placed for future growth following conversion and flotation."

JOHN STEWART, GROUP CHIEF EXECUTIVE

It's good to be with the
WOOLWICH
— BUILDING SOCIETY —

business

Panel raps Barings on takeover rules

Magnus Grimond

The executive of the Takeover Panel yesterday delivered a public rap over the knuckles to ING Barings after shares in Applied Distribution, a client of the merchant bank, soared prior to it revealing bid approaches last month.

A statement from the Panel said Barings, rescued from collapse by the Dutch group ING almost exactly two years ago, had breached rule 2.2 of the Takeover Code by not keeping the City watchdog informed of the approaches.

Alistair Defriez, the director-general, said: "It is a public statement of criticism because the code has been breached and in particular Barings failed to consult the executive as they were required to do."

The Panel had the choice of keeping the closure of the bank behind closed doors. It was a measure of the seriousness with which it viewed the issue that the reprimand was made public, Mr Defriez suggested.

Applied, which is involved in contract food distribution from companies ranging from J Sainsbury to Nestle, saw its shares plunge in November after it issued its second profits warning in three months. The price slumped 25.5p to 37p on the day that it announced that it would be passing its final dividend as a result of a downturn in second-half trading, which would mean it would only break even for the period.

Yesterday, the Panel revealed that the company had received certain bid approaches as early as the beginning of December.

By that stage, the shares had slipped to 30.5p and continued to slide, hitting a low of 21.5p by 18 December, at which price there was a significant volume of dealings, the Panel said.

The shares then started to rise sharply, reaching 40p by the end of the month, hitting 46.5p on 30 January, just before bid approaches were revealed, and rising 30 per cent to 62p on the day. The Panel said it was "naturally concerned that these price increases may have resulted from a leak in relation to the approaches received... although there was no speculation about this in the media."

The executive said it was only informed shortly before the company's announcement. Under the code, it should be kept informed if there is a movement of 10 per cent or more.

Investors vent anger on NFC

Directors of NFC, the transport logistics company, had a rough ride from shareholders at yesterday's annual meeting over the group's poor share performance in the past year. And while a positive trading statement by the chairman edged the shares up 5p to 157.5p, the price is still well below the 1996/97 high of 200p.

Sir Christopher Bland, chairman, told shareholders that "market conditions remain challenging, especially in Europe where the group's business has been affected by drivers' strikes in France and Spain. However, we still expect to make further progress during the year."

That did not placate some shareholders. One asked Sir Christopher: "When do you expect our share price to recover?" In reply, the chairman said: "I share your disappointment."

For the year to September 1996 NFC reported a pre-tax profit of £105.2m, up from £38.6m in the previous year.

IN BRIEF

• Consumer prices in the US increased by only 0.1 per cent in January, taking the annual inflation rate down to 3.0 per cent from 3.3 per cent in December. The core inflation rate, excluding food and energy, declined to 2.5 per cent. Although the figures were much better than expected, just one component - air fares - accounted for the surprisingly low increase in core prices. The figures nevertheless confirmed that inflationary pressure remained muted. Separate figures showed a widening in the trade gap in December. The deficit on trade in goods and services was \$10.3bn, up from \$7.9bn in November.

• Cable & Wireless's Mercury Communications subsidiary has won a £48m contract to supply voice communications to Lloyds TSB Group. The five-year contract is for a managed service, delivering the corporate voice network linking the offices of Lloyds Bank and TSB Bank across the UK. The network will help Lloyds with the integration of its two banking groups following last year's takeover of TSB.

• Grand Metropolitan has sold its Benelux-based bakery businesses, comprising Suzy, Desobry and Drieckhof Holdings, to Compagnie Nationale a Portefeuille for £8.5m, including debts. The businesses make waffles, biscuits and traditional Dutch cakes. Combined sales for these businesses for the year to September were around £29m and operating profits £100,000.

Company Results				
	Turnover £	Pre-tax £	EPS	Dividend
Alderson (Q)	381m (272m)	-12.1m (14.2m)	-7.29p (12.44p)	-
Parsons (Q)	55.4m (50.9m)	4.12m (5.12m)	1.19p (1.09p)	5.80p (+)
London Financial (Q)	1.65bn (1.38bn)	30.0m (27.1m)	27.01p (18.18p)	11.20p (+)
London (Q)	36.8m (21.7m)	1.49m (0.79m)	11.80p (6.71p)	7.50p (+)
London (F)	332m (258m)	36.3m (19.0m)	3.79p (1.89p)	4.80p (+)
WPP Group (Q)	7.09bn (5.53bn)	153m (114m)	13.7p (9.50p)	1.70p (+)

(Q) - First (Q) - interim (F) - Latest 12 months, comparative 34 weeks

Medeva's big gamble should pay off

THE INVESTMENT COLUMN

EDITED BY TOM STEVENSON

Shareholders in Medeva have suffered a stomach-churning voyage over the years, but signs that the drugs group has been steering a steadier course have grown much clearer of late. Market concerns have centred on methyphenidate, the generic form of Ritalin, the controversial treatment for unruly children made by Novartis. It is thought to have represented over two-thirds of group profits in the past, but Medeva's 70 per cent market share could be under attack from three competitors by next year, with Johnson Matthey potentially ready to enter the market with a rival product as early as this summer.

But Medeva has not been sitting on its hands and the first fruits of its labours were apparent in yesterday's results for the year to December. Operating profits out from £78.1m to £39.9m were hammered by a £65.2m restructuring charge in the wake of last year's £370m (£239m) deal to buy Fisons' Old US business based at Rochester, New York, from Rhône-Poulenc Rover.

But Rochester, Medeva's highest buy to date, should do wonders for the group's credibility. Analysts reckon the additional business has diluted methyphenidate profits to around half the group total and the potential is huge. At its most prosaic, the £47m cash spent on integrating Rochester should have repaid itself by the year 2000, when it could be delivering underlying cost savings of around £25m a year.

More exciting still should be the top line benefits. The merged and restructured salesforce, now raised from around 150 to 272, has already managed in six months to generate £77m of sales from Rochester's 10 products, some three-quarters of the total for the whole of last year. And Medeva says only around 15 per cent of the Rochester site was being used when it was acquired, so if it can find the drugs, the capacity is there to multiply by several times the throughput.

Already, over the past two years, Medeva has picked up some interesting prospects. Maken contributions from RPR products like Isoniazid, the anti-obesity treatment which clocked up sales of £22.4m, and the first full year of earlier acquisitions, like Glaxo's Sempex D anti-histamine for allergies, mean new drugs are already reporting sales of more than half the £108m from methyphenidate last year. Given that many of these are growing in double digits and the high margin Rochester products were in for only half a year, the omens are good that Medeva can survive the onslaught on methyphenidate. Success in a legal dispute over the marketing of Isoniazid could deliver a £20m boost to the bottom line, while further out, Hepagene, the hepatitis B

vaccine and treatment, could yet turn into a mini-blockbuster. Lehman's profit forecast of £124m puts the shares up 3.5p to 283.5p, on a forward pile of 12. Good value against typical industry multiples in the 20s.

Sorrell works miracles at WPP

Martin Sorrell may have created WPP's problems but you can't deny he has done an impressive job digging the advertising and PR group back out of its self-inflicted hole. Pre-tax profits for 1996 were £153.3m compared with under £8m in 1992. Operating profits have grown over that period from 5.9 per cent to 10.8 per cent. Net debt has fallen by two-thirds from £437m to £145m and could be wiped out completely within two years.

That is a remarkable performance for a company that received the last rites so many times while the bankers toiled over its many refinancings that its ultimate recovery is nothing short of a miracle.

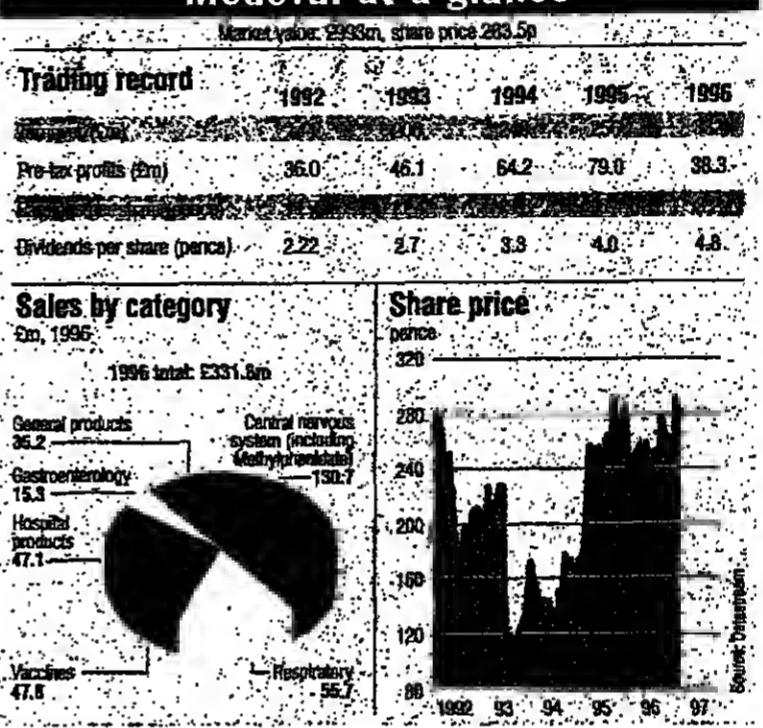
Running down WPP's profit and

loss account it is hard to avoid the conclusion that everything is going the company's way. Revenues of £1.69bn were 9 per cent ahead of 1995 but by the time a 6 per cent reduction in costs was accounted for, operating profit was 22 per cent better at £182.4m. Lower interest rates and smaller debts helped the pre-tax profit line to a 35 per cent increase to £153.3m and by the time a lower tax charge had had its impact, profit attributable to shareholders was 46 per cent higher. No wonder the final dividend rose 32 per cent to 1.144p.

Shareholders, and Mr Sorrell of course, will now focus on how much more can still be done to bring WPP up to the standards of its best peers. In advertising, Omnicom and Interpublic achieve operating margins of between 13 and 15 per cent, and their best businesses as much as 17 per cent. In PR, Shandwick generates a return of more than 10 per cent.

With strong brands such as Ogilvy & Mather, J Walter Thompson and Hill & Knowlton, there is no reason why WPP should not aspire to that sort of performance. This, the company believes, would by itself add another £25m to operating profit.

Medeva: at a glance



House broker Panmure Gordon believes strong sterling will hold WPP's profits back a bit this year from previous expectations of £180m to about £175m. Lower tax, however, will keep earnings per share at just over 15p.

That puts the shares on a prospective price/earnings ratio of 16 at 253p, down 14p. Given the scope for further growth, that's good value.

Early bookings boost Airtours

Airtours' figures for the first three months to December are not the most meaningful data - it is hardly the most important quarter of the year for a tour operator and travel agent. They do, however, give analysts a chance to check their expectations and for the company to give a steer about the volume of early bookings.

Yesterday's 6.5p fall in the share price to 97p was a rather grudging reaction to a quarterly statement that reassured on both these counts.

Analysts pushed their expectations for the year to September a useful £7m higher to £110m on the back of buy-out booking figures showing early purchases of summer 1997 packages 45 per cent ahead.

But after the shares' breathtaking recent run, a pause was to be expected. When Airtours announced record profits for the year to last September a couple of weeks before Christmas the shares stood at just over £7. Now they are the best part of £10.

Less than five years ago you could have picked them up for 170p, and they have doubled in the year. Yesterday's statement showed a 40 per cent rise in first-quarter sales thanks in part to the inclusion of Spies and Alba, the latest in Airtours' overseas pushes, and a 33 per cent drop in the seasonal loss before tax to £12.1m. Part of the rationale for moving into overseas markets such as Scandinavia and Canada has been a desire to make the business less summer orientated and the strategy appears to be working handsomely.

Airtours shares have soared in hopes that the days of overcapacity and price wars are over for good, together with a touch of bid spice from the 29.9 per cent stake held by Carnival Corporation of the US. On the latest forecasts they stand on a prospective price/earnings ratio of 18 this year. That's a reasonable premium for a genuine growth company and the shares are still worth holding.

THE INDEPENDENT INDEPENDENT ON SUNDAY READER OFFER

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Departing from either London Waterloo International or the new Ashford International station in Kent and arriving at Paris Gare du Nord. You have a choice to stay in one of three 2-star Campanile hotels. Each per person charge includes a return Standard Class Eurostar ticket from London Waterloo International or Ashford International to Paris and is based on 2 people sharing a twin or double room. Breaks start at £79.00 p.p. including one night, each extra night's accommodation is just £20 p.p. You may also upgrade to a 3 star hotel at an added cost starting at £20, with extra nights only £40.

Choose From Three 2 Star Campanile Hotels

Campanile Louis Blanc is conveniently located less than ten minutes walk (or a short taxi drive) from the Gare du Nord. All rooms are comfortably furnished with private facilities, channel TV and a courtesy tray with tea, coffee and biscuits. There is a breakfast room and bar and the centre of Paris is approximately 15 minutes by metro.

Campanile Bastille by Place de la Bastille is located in the centre of Paris, close to the historic Marais quarter and the Place des Vosges, with its arcades, antique shops and galleries. There are two metro lines close to the hotel, one which goes directly to Gare du Nord (line 5, Brequet-Sabin station). Hotel facilities include small garden, fully equipped bedrooms and breakfast room.

Campanile Italie-Gobelins is on the left bank at 'Place d'Italie' and within walking distance of the Latin quarter with its lively restaurant and bars. The metro is close by and on the direct line from Gare du Nord. The hotel offers a warm and modern atmosphere with full private facilities in the rooms, cable TV and a buffet breakfast room.

Upgrading your hotel

To upgrade your hotel the three star *Thanon Rive Gauche**** is also available at just £99 p.p. during March and £105 p.p. during April for one night on a B&B basis. Extra nights are only £40 p.p. This hotel offers a prime location next to the beautiful Jardin du Luxembourg and the famous Sorbonne. It is just 15 minutes from Notre Dame on foot. Direct RER from Gare du Nord. The price includes continental breakfast.

Weekend Travel

For outward and/or return travel on a Friday, Saturday or Sunday add £15 per person. Child prices on request.

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سكرا من الامم

market report / shares

Taking Stock

Reed moves up on hopes of consumer books sale

MARKET REPORT
PATRICK TOOHER

Data Bank

FTSE 100	4357.4	+25.1
FTSE 250	4620.4	+7.7
FTSE 350	2149.8	+10.5
SEAO VOLUME	867.5m shares	
47,785 bargains		
Glits Index	96.61	-0.13



While the £100m hole discovered in the accounts of Pearson's Penguin subsidiary in the US keeps the gossip in the book world chattering, rival Reed International is quietly moving ahead with plans to focus on electronic publishing.

According to market sources, the Anglo-Dutch group is thought to be close to finalising the sale of its consumer books division to a management buy-out team.

Reed has been trying to sell the division in bloc for the best part of two years. When an auction attracted bids of just £70m-£80m, compared to an initial asking price of £250m, the business was withdrawn from the market.

But at the end of last year John Holloman, who led a buy-out of British Printing Corporation from the late Robert Maxwell, was appointed to fatten up consumer books ahead of a sale by early 1998.

Reed recently sold some of the best-known names in book publishing, including Secker & Warburg and Heinemann, to Random House for about £20m - the equivalent of the division's turnover.

Using a similar ratio Reed hopes the rest of the consumer books business, which includes reference, illustrated and children's books, will fetch around £150m. Hopes that a sale is imminent, and at a reasonable price, helped elevate Reed's shares 45p to 1147.5p. Analysts also believe the shares have been oversold since Reed warned before Christmas that currency factors could hit profits in 1997.

Rumours that Reuters, up 11p at 666.5p, might be sniffing around Reed were dismissed as old hat.

For once the FTSE 100 index ignored a weak opening in New York by building on earlier gains to close at a record



high of 4357.4, up 25.1 on the day. News of the death of Chinese leader Deng Xiaoping came after the market closed, though Wall Street's initial reaction was calm.

SmithKline Beecham led the way, surging 46.5p to an all-time peak of 941p on further consideration of a strong set of 1996 figures from the drugs giant on Tuesday. Merrill Lynch reckons SmithKline Beecham deserves to trade on a similar multiple to its US peers, implying a price in excess of 1000p.

Good results from Swedish pharmaceuticals group Astra added to positive sentiment in the sector, with Zeca ad-

profits on the back of recent share price strength. The US investment bank believes Shell's valuation is stretched relative to the sector and expects the share to weaken as the crude price declines.

Yorkshire Times-Tees topped the list of FTSE 250 movers as speculation grew that Granada, owner of the North-west franchise, was about to make its long-awaited move on the television group and trigger one last shake of the ITV kaleidoscope.

Granada is said to have cleared the decks for the acquisition after selling its Wellcome Break motorway service stations for £476m and pocketing another £90m from property group Chelshfield for its Westbury hotels in London and New York. Shares in Yorkshire ended 55p higher at 1152.5p, valuing the broadcaster at £637m.

Shell was on the slide, down 9p at 1079.5p, as Salomon Brothers urged clients to take

about the impact of digital television with Scottish TV up 13.5p at 616p and HTV 5p firmer at 335p. Expect HTV to move higher this morning. Analysts say a Granada swoop on Yorkshire would free United News & Media, holder of the Anglia and Meridian licences, to pounce on HTV. United has 14 per cent in Yorkshire and 29.5 per cent of HTV - the maximum allowed without triggering a full bid.

Amec surged in late trade to close 5p ahead at 109p. The contractor is expected to announce this morning that it is close to completing the sale of its 20 per cent stake in Egypt Gas for £38.1m. The deal, due to completed next Monday, will net Amec a £30m profit.

Shares in George Wimpey, the housebuilder, added 2.5p to 138p as fund manager FDFM bought 9.73 million shares to take its stake from 20 per cent to 22.7 per cent.

Shares in printer Hunters Army climbed 2.5p to 106p on the back of upbeat comments from David Bird, the chairman. He told shareholders at the group's annual meeting that first-quarter demand remained buoyant while the second quarter had started well. All five operating units had shown encouraging growth, he said. Last week Hunters appointed Charterhouse Tilney to replace Panmure Gordon as its brokers. Charterhouse expects Hunter's profits to reach £3.8m in this year ending September.

The curiously named Waterfall Holdings, the AIM-listed operator of pool and snooker halls, nudged a penny higher at 74p. It has paid £451,000 for two new Cue sports clubs in Birmingham and Gloucester and the freehold of a site in Reading.

Share Price Data

Prices are in sterling except where stated. The yield is last year's dividend, rounded up by 20 per cent, as a percentage of the share price. The price/earnings (P/E) ratio is the share price divided by last year's earnings per share, excluding exceptional items.

Other details: r Ex rights x Ex-dividend x Ex all in United Securities Market x Suspended up Party Paid on 1st Feb Share x All Stock

Sources: FT Information

The Independent Index

The index allows you to access real-time share prices by phone from London Stock Exchange. Simply dial 0800 123 333 and when prompted to do so, enter the 4-digit code printed next to each share. To access the latest financial reports dial 0800 1233 followed by one of the two-digit codes below.

Anyone with a tone-dial telephone can use the service. For a detailed description of The Independent Index, including its portfolio facility, phone 0800 123 333. For assistance, call our helpline 071 873 4378 (9.00am - 5.00pm).

Market leaders: Top 20 volumes

Stock	Volume	Stock	Volume	Stock	Volume
British	442000	British	442000	British	442000
BT	220000	BT	220000	BT	220000
British	170000	British	170000	British	170000
British	160000	British	160000	British	160000
British	97000	British	97000	British	97000

FTSE 100 Index hour by hour

Open 4348.1 up 13.8	11.00 4348.1 up 13.7	14.00 4348.1 up 13.5
09.00 4348.1 up 13.8	12.00 4348.1 up 13.8	15.00 4348.1 up 13.5
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THE INDEPENDENT

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Completion date: 31st March 1997. Winner picked at random after 28th February 1997. Limited Newspaper Publishing rules apply. Offer ends 28th February 1997.

United Newspaper Publishing rules apply. Offer ends 28th February 1997.

Government Securities

Stock	Price	Yield	Stock	Price	Yield
British	442000	4.42%	British	442000	4.42%
BT	220000	2.20%	BT	220000	2.20%
British	170000	1.70%	British	170000	1.70%
British	160000	1.60%	British	160000	1.60%
British	97000	0.97%	British	97000	0.97%

Labour & Hotels

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British	160000	1.60%	British	160000	1.60%
British	97000	0.97%	British	97000	0.97%

Life Assurance

Stock	Price	Yield	Stock	Price	Yield
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Life Assurance

42	Consolidated	24	+	14	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24
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sport

Can there have been a more embarrassing sight than the England team paying tribute to the ludicrous Barmy Army?

In keeping with the customary response to such occasions, reports of England's Test match victory in Christchurch this week prompted thoughts of church bells, factory whistles, up-bung hats and turn-up paper floating down from office windows.

Success after five years without winning a series abroad permits some excitement, but the wonder is that none of our popular prints was inspired enough by Michael Atherton's marathon effort of concentration to put him up for a knighthood.

All because England, thanks mainly to the captain's "up yours" resurgence, overcame a team from what can be conveniently described as the relegation zone of world cricket.

As I remember it, matches between the two countries once took place in New Zealand at the end of an Ashes series and were thought to be largely academic. Such is the present state of English cricket that any success anywhere is seen to be a reason for wild celebration.

What this does, of course, and it applies equally in football, is to again raise expectations out of all proportion to ability and development. Instead of getting high on England's prospects against Australia next summer, it should be enough that they are no longer in danger.

A personal point of view, one nobody is required to share, is that England were never as bad as some of their results implied.

Doubtless, the criticism England came under explains the biliousness

with which they looked out on the world. However, it did not justify the triumphalism they indulged in after John Crawley and Dominic Cork ensured victory by dealing sensibly with threat of New Zealand's 18-year-old, gangling, bespectacled spinner, Daniel Vettori, who could pass easily for a fourth-form pest in gleeful possession of a noxious substance.

Can there have been a more embarrassing sight in sport recently than the England team paying an anthropological tribute to the quite ludicrous Barmy Army, throwing their peeled-off shirts, behaving tediously in the manner of winners on a television game show?

Some fact statements have been made by management on this tour, none more ridiculous to my mind



KEN JONES

than by the England and Wales Cricket Board chairman, Ian MacLaurin, who announced that the future rests with players prepared to die for their country.

Even allowing for looseness in analogy, to put sport even remotely in the context of mortal combat is nonsense.

The attitude of cricket of Australia's great all-rounder, Keith Miller, a terrific fast bowler and a batsman of exhilarating purpose, unquestionably a winner, was shaped by experiences in British skies as a fighter pilot during World War II.

"When I thought about guys who didn't come back, it was over difficult to have a balanced view of the game," he once said in conversation.

Similar experiences, it is said, explained why one of the most successful hitters in American baseball, Ted Williams of the Boston Red Sox, whose marvellous career was twice interrupted by service as a fighter pilot during World War II and the Korean conflict, paid little account to applause. "Williams knows about the reality of life," somebody wrote of him.

Men like that usually work for success with more natural determination than most others, and there is something in the concealed earnestness of their approach that is in itself pleasing.

What we have now is sport bordering on show business. A short while ago this column addressed the issue of dignity in games, or to be more precise what led to its passing.

There was nothing dignified in the celebrations mounted by England's cricketers in Christchurch, or in their pandering to a group of supporters whose only apparent merit is that they took the trouble and time to be present.

Younger brethren in this trade keep telling me that times have changed and that new philoso-

phies have to be accommodated. Does this mean there is now a case for allowing nationalism to become rampant? For his enlightenment, MacLaurin might like to consider an opinion expressed by a German journalist, Ulrich Kaiser, before the 1966 World Cup final. "If we win," he said, "eleven German footballers will have won a cup and I will be glad to see it. But I am not saying I have beaten anybody."

This week England won a Test match against opposition so moderate that defeat would have brought down a great deal of derision. As for Atherton's future as captain, it seems important that the job should stay with a gutsy guy who even in troubled times appears to keep cricket in perspective.

FA turns spotlight on laser beams

Football
ALAN NIXON

The Football Association yesterday spelt out the danger of fans directing mini laser beams at players during matches. The problem was highlighted again during Tuesday's Coca-Cola Cup game between Leicester City and Wimbledon at Filbert Street, when a red beam was constantly directed on the back of the head of Wimbledon's Vinnie Jones as he took long throws.

Last month, Aston Villa banned the battery-operated lasers, available for between £30 and £150, from Villa Park after one was directed towards

the dug-out area during the game against Newcastle United.

"We have written to all clubs alerting them that this laser appears to be in use and of it being a potential hazard," FA spokesman Steve Double said.

Everton were facing competition from Middlesbrough for the Australian goalkeeper Mark Schwarzer yesterday. The Bradford City keeper will be allowed to meet the Everton manager, Joe Royle, to discuss terms on a proposed £1.4m move.

Royle's offer is serious cash, while Robson is willing to give Bradford £500,000 plus the transfer-seeking Alan Miller. The former West Ham manager, Billy Bonds, has joined First

Division Reading as first-team coach. Reading's joint player-manager, Mick Gooding and Jimmy Quinn, have been sharing coaching duties since Richard Hill became assistant manager at Wycombe Wanderers in November.

The Oxford United manager, Denis Smith, has dismissed reports that the First Division club is about to become involved in an ambitious player loan scheme with Juventus. Robin Herd, the Oxford chairman, had said 24 hours earlier that negotiations were at an advanced stage with the European and world club champions.

Yesterday, however, Smith said: "I know everyone is making statements but I tell you what, there is more chance of us getting holidays on the moon in the next couple of years. It is a rumour at the moment from people in the club who should know better."

The Australian international Tony Vidmar has agreed to join Rangers in the summer. The Scottish champions have moved to seal a deal for 26-year-old Vidmar, a versatile defender with the Dutch team, NAC Breda.

Chesterfield's FA Cup quarter-final against Wrexham on Sunday 9 March has been moved again to fit in with television schedules. The all-Second Division tie will now kick off at 11.30am so that BBC Wales can screen the game live.

Wigan Athletic have opened talks with the former Manchester United and England defender, Paul Parker. The 32-year-old has expressed an interest in joining Wigan on a short-term contract next month once his newly opened London wine bar is running smoothly.

Mick Buxton yesterday became the season's latest managerial casualty when he left Southampton by mutual consent. The Third Division club suffered a 2-0 home defeat by Chester on Tuesday in front of a crowd of only 1,524. They have lost five of their last seven League games and lie 16th in the table.

Fifa to rule on use of television replay

GLENN MOORE

The prospect of contentious goals such as Maradona's "hand of God" score being decided by television evidence has moved a step closer.

France and Sweden have applied to Fifa, football's world governing body, for permission to use television adjudication in their friendly in Paris on 2 April. The referee would remain the ultimate arbiter but would have recourse to a monitor by the side of the pitch.

Supp Blatter, Fifa's general secretary, is understood to have given a cautious assent to the experiment. The final decision will be made by Fifa on 1 March in Belfast.

It would be the referee's decision whether to consult the TV monitor. English viewers can judge the experiment themselves, as the match will be televised live on Eurosport.

While TV evidence is used in cricket and American football, the main reservation regarding football is that it would disrupt

the flow of an essentially seamless sport.

Meanwhile, Fifa's latest proposed rule change regarding the use of penalty shoot-outs has met with a mixed response. Fifa has suggested that the penalty shoot-out should take place before extra time to both reduce the pressure on individual players and increase the chance of a result in open play.

Chris Waddle, who missed a penalty in the 1990 World Cup semi-final shoot-out, told the *Independent*: "I would just ban penalty shoot-outs. I can understand that they are trying to seek a result but I would reduce the game to sevo-a-side for extra time or five-a-side. I am sure a goal would be scored in 30 minutes and then the whole team would buffer rather than one individual."

Howard Wilkinson, the FA's technical director, said: "It is a good idea. It will change the attitude of the players. At least one team would have to go for a result. At present there is a feeling that some teams deliberately play for extra time."



Nick Price, of Zimbabwe, who is aiming to post back-to-back victories on the European Tour, chips on to the fifth green in yesterday's pro-am at the South African PGA event in Johannesburg

Tyne is right for Tuigamala

Simon Turnbull attends the unveiling of rugby's first million-pound signing

Sir John Hall had been this way before. There was no horde of screaming Geordies outside - just three young lads clutching autograph books, sheltering from the elements in Kingstoo Park's foyer - but the formal unveiling of Va'aiga Tuigamala as a Newcastle Falcons homecoming as Newcastle United's £1.5m man six months ago.

As the bronzed Sir John - whisked directly from Newcastle airport after interrupting a Spanish holiday - put it: "My board haven't told me the fee but I gather it's a world record. That's the second time this has happened."

Rob Andrew, whose hiring as director of the rugby wing of Sir John's Tyneside sporting empire kicked off the professional era 17 months ago, made a specific request for "no questions about the fee". His chairman, though, gave the game away, in a roundabout manner.

"We are in business," Sir John said, when asked if he was concerned about the implications of his latest cheque-book move. "This always comes up. It's like 'Remember the first £1m signing in soccer?'"

In putting his pen to a five-year contract yesterday, Tuigamala became rugby's first £1m signing. The transfer fee between Wigan and Newcastle may be a mere £500,000, a record in itself, but compensation and wages take the deal

into seven figures. Thus, in 18 months, rugby union has achieved what it took professional football six years short of a century to bring about.

Wheo Brian Clough signed Trevor Francis for Nottingham Forest in 1979 he insisted the fee should be £1 short of £1m because, he told Jim Smith, the selling manager, he did not want the player "to become big headed". With VAT and Francis's five per cent cut, however, the deal came to £1.1m.

Finding himself in the shoes of English football's Old Big Ead yesterday, Andrew was obliged to field the obligatory big money signing question about his - or, rather his club's - investment being a gamble. "I certainly don't see it as a gamble," he said. "The marketplace started in September 1995 and people have to make commercial decisions."

"This shows our commitment to the sport," Sir John interjected, getting to his retaliation in advance of "mercenary" accusations. "In this season alone we've probably invested more in rugby in the North-east than the RFU has in the sport in a century."

Tuigamala then got in his two pennorth (or £1m, perhaps), participating the "challenge" of "spreading the rugby gospel on this side of the country". That mission starts with Newcastle's Courage League home match against Wakefield on 8 March.

Loader hopes to face England

Christian Loader is taking inspiration from his Wales teammate Allan Bateman in hoping for a quicker recovery from knee surgery than doctors predict.

The Swansea prop has been told he has no chance of facing England in next month's Five Nations game, but Loader entered hospital yesterday for a cartilage operation claiming that, like Bateman, he will be fit in a fortnight and will play.

France will have prop Franck Tournaire and fly-half Alain Penaud back in action against England at Twickenham on 1 March.

Scott Hastings, who earlier this week was dropped from the Scotland senior squad, has been left out of the A team to play Ireland A at Myreside a week tomorrow. His place at outside centre has gone to Hawick's Cameron Murray.

SPORTING DIGEST

YESTERDAY
REPRESENTATIVE MATCH: Ireland 3-0 Under-21 v. Under-21 Scotland (Scotland 1st XI 2-1, 2nd XI 3-0, 3rd XI 1-0, 4th XI 1-0, 5th XI 1-0, 6th XI 1-0, 7th XI 1-0, 8th XI 1-0, 9th XI 1-0, 10th XI 1-0, 11th XI 1-0, 12th XI 1-0, 13th XI 1-0, 14th XI 1-0, 15th XI 1-0, 16th XI 1-0, 17th XI 1-0, 18th XI 1-0, 19th XI 1-0, 20th XI 1-0, 21st XI 1-0, 22nd XI 1-0, 23rd XI 1-0, 24th XI 1-0, 25th XI 1-0, 26th XI 1-0, 27th XI 1-0, 28th XI 1-0, 29th XI 1-0, 30th XI 1-0, 31st XI 1-0, 32nd XI 1-0, 33rd XI 1-0, 34th XI 1-0, 35th XI 1-0, 36th XI 1-0, 37th XI 1-0, 38th XI 1-0, 39th XI 1-0, 40th XI 1-0, 41st XI 1-0, 42nd XI 1-0, 43rd XI 1-0, 44th XI 1-0, 45th XI 1-0, 46th XI 1-0, 47th XI 1-0, 48th XI 1-0, 49th XI 1-0, 50th XI 1-0, 51st XI 1-0, 52nd XI 1-0, 53rd XI 1-0, 54th XI 1-0, 55th XI 1-0, 56th XI 1-0, 57th XI 1-0, 58th XI 1-0, 59th XI 1-0, 60th XI 1-0, 61st XI 1-0, 62nd XI 1-0, 63rd XI 1-0, 64th XI 1-0, 65th XI 1-0, 66th XI 1-0, 67th XI 1-0, 68th XI 1-0, 69th XI 1-0, 70th XI 1-0, 71st XI 1-0, 72nd XI 1-0, 73rd XI 1-0, 74th XI 1-0, 75th XI 1-0, 76th XI 1-0, 77th XI 1-0, 78th XI 1-0, 79th XI 1-0, 80th XI 1-0, 81st XI 1-0, 82nd XI 1-0, 83rd XI 1-0, 84th XI 1-0, 85th XI 1-0, 86th XI 1-0, 87th XI 1-0, 88th XI 1-0, 89th XI 1-0, 90th XI 1-0, 91st XI 1-0, 92nd XI 1-0, 93rd XI 1-0, 94th XI 1-0, 95th XI 1-0, 96th XI 1-0, 97th XI 1-0, 98th XI 1-0, 99th XI 1-0, 100th XI 1-0, 101st XI 1-0, 102nd XI 1-0, 103rd XI 1-0, 104th XI 1-0, 105th XI 1-0, 106th XI 1-0, 107th XI 1-0, 108th XI 1-0, 109th XI 1-0, 110th XI 1-0, 111th XI 1-0, 112th XI 1-0, 113th XI 1-0, 114th XI 1-0, 115th XI 1-0, 116th XI 1-0, 117th XI 1-0, 118th XI 1-0, 119th XI 1-0, 120th XI 1-0, 121st XI 1-0, 122nd XI 1-0, 123rd XI 1-0, 124th XI 1-0, 125th XI 1-0, 126th XI 1-0, 127th XI 1-0, 128th XI 1-0, 129th XI 1-0, 130th XI 1-0, 131st XI 1-0, 132nd XI 1-0, 133rd XI 1-0, 134th XI 1-0, 135th XI 1-0, 136th XI 1-0, 137th XI 1-0, 138th XI 1-0, 139th XI 1-0, 140th XI 1-0, 141st XI 1-0, 142nd XI 1-0, 143rd XI 1-0, 144th XI 1-0, 145th XI 1-0, 146th XI 1-0, 147th XI 1-0, 148th XI 1-0, 149th 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